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PROVINCIAL STATUTE OF CANADA,

ENACTED by Her Most Excellent Majesty, our Sovereign Lady VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., by and with the advice and consent of the Legislative Council and Assembly of the said Province, constituted and assembled by virtue of and under the authority of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the Third and Fourth years of Her Majesty's Reign, intituled, "*An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada.*"

VOL. III. CONTINUED.
Reserved Act.



MONTREAL :

PRINTED BY STEWART DERBISHIRE & GEORGE DESBARATS,
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Anno Domini, 1844.

PROVINCIAL STATUTE

OF

CANADA.

ANNO REGNI SEPTIMO

VICTORIÆ,

DEI GRATIA, BRITANNIARUM REGINÆ.

HIS EXCELLENCY THE RIGHT HONORABLE

SIR CHARLES THEOPHILUS METCALFE, G. C. B. BARONET,

GOVERNOR GENERAL.

**Being the THIRD Session of the FIRST Provincial
Parliament of CANADA.**

(RESERVED ACT

To which the ROYAL ASSENT was subsequently promulgated by His Excellency
SIR CHARLES THEOPHILUS METCALFE, G. C. B. &c. &c. &c.
GOVERNOR GENERAL.)



ANNO SEPTIMO

VICTORIÆ REGINÆ.

C A P. LXV.

An Act for better securing the Independence of the Legislative Assembly of this Province.

9th December, 1843.—Presented for Her Majesty's Assent, and reserved "for the signification of Her Majesty's pleasure thereon."

17th April, 1844.—Assented by Her Majesty, in Privy Council.

25th May, 1844.—The Royal Assent signified by the Proclamation of His Excellency SIR CHARLES THEOPHILUS METCALFE, Governor General.

WHEREAS it is expedient to provide by legislative enactments for better securing the independence of the Legislative Assembly of this Province ; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that from and after the end of the present Parliament, all and every the persons, or public officers hereafter mentioned and described in this section, shall be incapable of and disqualified from being elected or returned to be members of the Legislative Assembly of this Province, nor shall any such person or persons, or public officer or officers be competent to sit or vote in the said Legislative Assembly, that is to say, all Justices or Judges of any Court of Queen's Bench, or of King's Bench, the Vice Chancellor of Upper Canada, the Judge of the Court

Preamble.

After the end of the present Parliament certain persons disqualified to be members of the Legislative Assembly.

Judicial Functionaries.

Officers of
Courts.

Registrars.

Officers of
customs or ex-
cise.

Public ac-
countants,
clerks and
others employ-
ed in certain
public offices,
and duties.

Exception.

Court of Vice Admiralty in Lower Canada, the Judge of the Court of Escheats, all District Judges or Circuit Judges, all Commissioners of Bankrupts, the Official Principal of the Court of Probate in Upper Canada, the Surrogates of the several Surrogate Courts of Probate in the same, all Recorders of Cities ; all Sheriffs, all Prothonotaries or Clerks of any Court of Queen's Bench or of King's Bench, or of any District or Circuit Court, the Clerks of the Courts of Appeals, all Clerks of the Peace, the Registrar of the Court of Vice Admiralty in Lower Canada, all Clerks of the Crown, all Clerks of Commissioners of Bankrupts, the Register, Master or Accountant of the Court of Chancery in Upper Canada, the Register of the Court of Probate in the same, the Clerk of the Heir and Devisee Commissioners in the same ; all Registrars of Deeds and Titles to or claims and incumbrances upon real property, either in Upper or Lower Canada ; all Officers of the Customs and Excise, and all other Officers or persons employed in the collection of the Revenue arising from duties or from tolls for the use of public works, including the Naval Officer at the Port of Quebec ; the Commissioner for the management of the Jesuits' estates, the resident Agents for the sale of Public Lands, and the Agents for the sale of Timber Licences ; the Adjutants General of Militia, and all Clerks employed under them, and receiving annual salaries ; the Clerk of the Executive Council, and all subordinate Clerks or Officers of the said Council receiving annual salaries ; all Clerks in the Office of the Provincial Registrar receiving annual salaries ; all subordinate Clerks receiving annual salaries, in the Offices of the Secretaries for Upper or Lower Canada, of the Commissioner of Crown Lands, of the Receiver General, or of the Inspector General of Public Provincial Accounts ; (excepting always the Assistant Secretaries for Upper and Lower Canada, respectively, the Assistant Commissioner of Crown Lands and the Assistant Inspector General of Public Provincial Accounts ;) all subordinate Clerks receiving annual salaries in the Office of the Surveyor General ; all Officers of the Board of Works, or persons employed by the said Board while so employed ; all Contractors with the said Board or with any other Department of the Provincial Government for performing any work or supplying any thing required for the Public Provincial service, or to be paid for out of the public moneys of the Province, during the subsistence of such contracts ; the Postmasters at Quebec, Montreal and Three Rivers and Sherbrooke, and at any City or Town in Upper Canada incorporated or to be hereafter incorporated, and divided into wards ; all Physicians, Officers and persons employed in the Quarantine service at Quebec or at Grosse-Isle, and paid out of the public moneys of the Province, while so employed ; all Physicians or Surgeons attending any common Gaol, Penitentiary, Lunatic Asylum, Hospital or other Public Institution, and receiving annual salaries or allowances out of the public moneys of the Province ; all Harbour Masters, or Deputy Harbour Masters, and the Master and Registrar of the Trinity House of Quebec

or

or Montreal, and all persons employed under either of the said Trinity Houses and receiving annual salaries or allowances; Her Majesty's Printer and Law Printer, in and for this Province; the Translator of the Laws: Provided always, that nothing in the foregoing enactment shall extend or be construed to extend to any person who being a Member of the Executive Council, shall also fill any of the following offices, that is to say, of Receiver General, Inspector General, Secretary of the Province, Commissioner of Crown Lands, Attorney General, Advocate General, Solicitor General, Chairman of the Board of Works, Registrar of the Province or Surveyor General.

Proviso.
Exception.

II. And be it enacted, that if after the passing of this Act, any one of the persons or public officers mentioned and described in the foregoing section, and thereby disabled from sitting or voting, or declared to be incompetent to sit or vote in the Legislative Assembly of this Province, shall nevertheless be elected or returned as a member to serve in the said Legislative Assembly, either in the present Parliament or in any Parliament hereafter to be holden, his election and return shall be and the same are hereby enacted and declared to be null and void to all intents and purposes whatsoever; and if any such person or public officer, disabled from sitting or voting, or declared by this Act to be incompetent to sit or vote in the said Legislative Assembly, who shall or may be elected after the passing of this Act, shall presume to sit or vote in the said Legislative Assembly, as a member thereof, either in the present Parliament, or in any Parliament to be hereafter holden, such person or public officer, so sitting or voting, shall forfeit the sum of five hundred pounds, currency, for each and every day that he shall have been so sitting or voting in the said Legislative Assembly; the said sum to be recovered by any person who shall sue for the same, by action of debt, bill, plaint or information in and before any Court of competent civil jurisdiction in this Province.

Elections of persons disqualified by the first section made after the passing of this Act declared null, the parties subject to a fine of £500 for every day they sit or vote.

Fine how recovered.

III. And be it enacted, that from and after the passing of this Act, all and every the persons or public officers hereinafter mentioned and described, that is to say, all Justices or Judges of any Court of Queen's Bench or of King's Bench, the Vice Chancellor of Upper Canada, the Judge of the Court of Vice Admiralty for Lower Canada, the Judge of the Court of Escheats, all District Judges or Circuit Judges, and all Clergymen of the Church of England or Scotland, and all Priests and Ministers, either according to the rites of the Church of Rome, or under any other form or profession of religious faith or worship, all Commissioners of Bankrupts, the Official Principal of the Court of Probate in Upper Canada, and the Surrogates of the several Surrogate Courts of Probate in the same, and all Recorders of Cities, all Officers of the Customs, and all Officers employed in the collection of any duties payable to Her Majesty in the nature

Certain persons disqualified to vote at any election of a member of the Legislative Assembly.

Penalty for
voting.

Vote declared
null.

Seats of mem-
bers of the Le-
gislative As-
sembly accep-
ting from the
Crown offices
of profit, to be
vacated, writs
for new elec-
tions forthwith
to issue.

Such persons
if not disquali-
fied under
foregoing sec-
tions, capable
of being re-
elected.

The foregoing
sections not to
apply to offi-
cers of Her
Majesty's
Navy or Army,
or Militia, ex-
cepting the
Militia Staff.

Members of
the Legislative
Assembly may
vacate their
seats in cer-
tain cases.

ture of duties of Excise, shall be incapable and incompetent to vote at any Election of a member or members to serve in the said Legislative Assembly, either in the present Parliament or in any Parliament to be hereafter holden ; and if after the passing of this Act, any such person or public officer mentioned and described in this section, shall vote at any such election, he shall forfeit thereby the sum of five hundred pounds, current money of this Province ; the said sum to be recovered by such person as shall sue for the same, by action of debt, bill, plaint or information, in and before any Court of competent civil jurisdiction in this Province, and his vote shall be null to all intents and purposes whatsoever.

IV. And whereas it is expedient, in certain cases, to avoid the election, and to vacate the seats of persons elected or to be elected to serve as members in the said Legislative Assembly of this Province ; Be it therefore enacted, that if any person who, before the passing of this Act, shall have been, or shall be after the passing of this Act, elected and returned as a member to serve in the said Legislative Assembly, either in the present Parliament or in any Parliament hereafter to be holden, shall accept from the Crown any office of profit to which an annual salary or any allowance, fees or emoluments in lieu of an annual salary, are attached, his election shall thereby become void, and the seat of such member in the said Legislative Assembly shall thereafter become and be vacant, and a writ shall forthwith issue for a new election, as if such person so accepting such office were naturally dead : Provided always, that such person shall nevertheless be as capable of being re-elected to serve as a member of the said Legislative Assembly during the same or any ensuing Parliament, as if his election had not been made void and his seat become vacant as aforesaid, provided the office he shall hold be not one of those by holding which he shall, under the foregoing enactments of this Act, be disqualified or rendered incompetent to sit or vote in the said Legislative Assembly as a member thereof.

V. Provided always, and be it enacted, that nothing in the next preceding section of this Act contained, shall extend or be construed to extend to any member of the said Legislative Assembly, being an Officer in Her Majesty's Navy or Army, or in the Militia of this Province, who shall be appointed or receive any new Commission in Her Majesty's Navy or Army, or in the Militia of this Province, respectively, excepting only Officers on the Staff of the Militia receiving permanent salaries.

VI. And whereas it is expedient, that members of the said Legislative Assembly should be enabled to vacate their seats in certain cases ; Be it therefore enacted, that from and after the passing of this Act, it shall be lawful for any member of the said Legislative Assembly, legally elected, or who shall hereafter be

be so, who shall wish to abstain from the performance of the duties imposed on him by his election, to resign and vacate his seat in the manner hereinafter provided.

VII. And be it enacted, that if any such member shall wish so to resign, it shall be lawful for him so to do, either by giving in his place in the said Legislative Assembly, notice of his intention of resigning his seat, in which case, and immediately after such notice shall have been entered by the Clerk of the said Legislative Assembly, on their Journals, it shall be lawful for the Speaker, and he is hereby required, to issue his warrant in the usual form for the election of a new member in the room of the member who shall have so resigned ; or by addressing and causing to be delivered to the Speaker, a declaration to that effect made under his hand and seal before two witnesses, which declaration may be so made either during a Session of the Parliament, or in the interval between two Sessions of the same, and an entry of any such declaration shall be thereafter made in the Journals, in which case it shall be lawful for the Speaker, upon receiving such declaration, forthwith to give notice thereof, by a warrant under his hand and seal, to the Clerk of the Crown in Chancery, that a new writ may issue for the election of a member, in the room of the member who shall have so resigned, and a new writ shall issue accordingly.

Mode in which a member shall resign his seat and the Speaker issue his warrant for a new writ of election.

VIII. Provided always, that the member so tendering his resignation, shall be and be held and considered as being to all intents and purposes, the representative for the place for which he was elected, until the return of the election of a member to serve in his room shall have been duly made.

Member so resigning to sit until new return shall be made.

IX. And be it enacted, that no member, shall so resign and vacate his seat during the Session of any Parliament next after his election, before the expiration of the first fifteen days of the said Session ; and that no member whose election shall be contested shall so resign and vacate his seat until after such contest shall have been decided.

Members not to resign during certain periods.

X. And be it enacted, that in the case of any member of the said Legislative Assembly resigning his seat therein, in the interval between two Sessions of any Parliament, if there be then no Speaker of the said Legislative Assembly, or if the Speaker be then absent from this Province, or if the member resigning his seat be himself the Speaker, it shall be lawful for the person so resigning his seat, to address and cause the declaration hereby required in such case to be delivered to any two members of the said Legislative Assembly ; in which case it shall be lawful for the said two members, upon receiving such declaration, forthwith to give notice thereof, by a warrant under their hands and seals, to the Clerk of the Crown in Chancery, that a new writ may issue for the election of a member,

How a new writ shall be issued when a member resigns during the absence of the Speaker.

member, in the room of the member who shall have so resigned, and a new writ shall issue accordingly.

Mode of proceeding in case of vacancies occurring in the Legislative Assembly.

XI. And be it enacted, that from and after the passing of this Act, in the case of any vacancy which shall happen in the said Legislative Assembly, by the death of the person chosen, or by reason of his being summoned to the Legislative Council, or by his accepting from the Crown any office by the acceptance of which his seat shall be vacated under the provisions of this Act, it shall be the duty of the Speaker on information thereof being given to him by any member in his place in the said Legislative Assembly, or in writing under the hands and seals of any two members of the said Legislative Assembly, to give notice thereof, by a warrant under his hand and seal, to the Clerk of the Crown in Chancery that a new writ may issue for the election of a member to fill up such vacancy, and a new writ shall issue accordingly; and if after any such vacancy shall have so happened, there be no Speaker, or if the Speaker be then absent from this Province, or if the member whose seat shall be vacated as aforesaid, be himself the Speaker, it shall be lawful for any two members of the said Legislative Assembly to give notice thereof, by a warrant under their hands and seals, to the Clerk of the Crown in Chancery, that a new writ may issue as above required, and a new writ shall issue accordingly; and such notice so given to the Clerk of the Crown in Chancery, either by the Speaker or by any two members as aforesaid, in the case of any such vacancy which shall happen from and after the passing of this Act, by the death of the person chosen, or by reason of his being summoned to the said Legislative Council, shall be, to all intents and purposes, deemed and considered to be the notice thereof, which, by the twenty fourth section of the before cited Act, passed in the Parliament of the United Kingdom of Great Britain and Ireland, is required to be delivered to or left at the office of the proper officer for issuing writs of election.

Certain Acts repealed.

4 & 5 Vict.
c. 4.

6 Vict. c. 2.

51 Geo. 3. c. 1.

XII. And be it enacted, that the Act of the Legislature of this Province, passed in the Session held in the fourth and fifth years of Her Majesty's Reign, and intituled, *An Act to enable Members of the Legislative Assembly, for places within that part of the Province formerly constituting the Province of Upper Canada, to vacate their seats in certain cases, and for other purposes*; and the Act of the said Legislature, passed in the sixth year of Her Majesty's Reign, and intituled, *An Act to make the law for vacating the seats of Members of the Legislative Assembly, accepting office, uniform throughout this Province*; and the Act of the Legislative of the late Province of Lower Canada, passed in the fifty-first year of the Reign of His late Majesty King George the Third, and intituled, *An Act for declaring Judges to be disabled and disqualifying them from being elected or from sitting and voting in the House of Assembly*; and the Act of the said Legislature, passed in the first year

year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to allow Members of the House of Assembly to vacate their seats in certain cases, and for other purposes* ; and the Act of the said Legislature, passed in the fourth year of the same Reign, and intituled, *An Act for vacating the seats of Members of the Assembly in certain cases therein mentioned* ; and the thirty-first section of the Act of the said Legislature, passed in the fifth year of the Reign of His late Majesty King George the Fourth, and intituled, *An Act to repeal certain Acts therein mentioned, and to consolidate the laws relating to the election of Members to serve in the Assembly of this Province, and to the duties of Returning Officers, and for other purposes* ; and the Act of the Legislature of the late Province of Upper Canada, passed in the thirty-ninth year of the Reign of His late Majesty King George the Third, and intituled, *An Act to enable the persons holding the Office of Register, to be elected Members of the House of Assembly* ; and the Act of the said Legislature, passed in the seventh year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act better to secure the Independence of the Commons House of Assembly of this Province, and for other purposes therein mentioned*, and all other Acts or provisions of Law in force in this Province, or in any part thereof, and inconsistent with or repugnant to the provisions of this Act, shall be and the same are hereby repealed : Provided always, that the Acts or provisions of Law repealed by those hereby repealed, or by any of them, shall not revive, but shall be and remain repealed.

1 Will. 4.
c. 42.4 Will. 4.
c. 32.5 Geo. 4.
c. 33, s. 31.

39 Geo. 3. c. 4.

7 Will. 4.
c. 114.

Proviso.

PROVINCIAL STATUTES

OF

CANADA,

ENACTED by Her Most Excellent Majesty, our Sovereign Lady VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., by and with the advice and consent of the Legislative Council and Assembly of the said Province, constituted and assembled by virtue of and under the authority of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the Third and Fourth year of Her Majesty's Reign, intituled, "*An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada.*"

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**Being the THIRD Session of the FIRST Provincial
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(RESERVED ACTS

To which the ROYAL ASSENT was subsequently promulgated by His Excellency
SIR CHARLES THEOPHILUS METCALFE, G. C. B., &c. &c. &c.
GOVERNOR GENERAL.)

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ANNO SEPTIMO

VICTORIÆ REGINÆ.

C A P. LXVI.

An Act to Incorporate certain persons carrying on the Business of Banking in the City of Montreal, under the name of "La Banque du Peuple."

9th December, 1843.—Presented for Her Majesty's Assent, and reserved "for the signification of Her Majesty's pleasure thereon."

23d May, 1844.—Assented by Her Majesty, in Privy Council.

27th June, 1844.—The Royal Assent signified by the Proclamation of His Excellency SIR CHARLES THEOPHILUS METCALFE, Governor General.

WHEREAS Louis Michel Viger, Jacob DeWitt, John Donegani, Pierre Beaubien, Augustin Tulloch, Hosea Ballow Smith, Romuald Trudeau, Pierre Jodoin, all of Montreal, in the district of Montreal, Esquires,—Alexis Sauvageau, of Laprairie, in the district of Montreal, Esquire,—Thimothé Franchère, of St. Mathias, in the district of Montreal, Esquire,—Joseph Frederick Allard, of Chambly, in the District of Montreal, Esquire, and Alexis Edouard Montmarquet, of Carillon, in the district of Montreal, Esquire, by their humble petition in this behalf, have represented that they have for many years carried on the Business of Banking at the City of Montreal, under the name or firm of Viger, DeWitt and Company, under and by virtue of certain articles of copartnership entered into between them : And whereas the establishment of their said Bank, conducted according to the principles of their said copartnership has been attended with the most beneficial results to trade and agriculture : And whereas it is expedient,

Preamble.

pedient, for the better effecting the purposes of their said copartnership, that the said above named persons should be incorporated and empowered to carry on the said Business of Banking, under regulations and provisions as nearly corresponding (as may be) with the terms of their said copartnership: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act of the Parliament of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that the said Louis Michel Viger, Jacob DeWitt, John Donegani, Pierre Beaubien, Augustin Tulloch, Hosea Ballow Smith, Romuald Trudeau, Pierre Jodoin, Alexis Sauvageau, Thimothé Franchère, Joseph Frederick Allard, and Alexis Edouard Montmarquet, and their successors, to be named as hereinafter provided, shall be and they are hereby constituted a Body Corporate and Politic, in fact and in name, by and under the name of "La Banque du Peuple," and as such shall, during the continuance of this Act, have succession and a Common Seal, with power to break, renew, change and alter the same at pleasure, and shall be capable of suing and being sued, and of pleading and being impleaded, in all Courts of Law and Equity, in all manner of actions, causes and matters whatsoever; and for the carrying out of the provisions of this Act, prior to the election of the President and Vice-President as hereafter provided, it shall be lawful for the purposes of recovering subscriptions and effecting transfers as hereinafter provided, that they the aforesaid Louis Michel Viger, Jacob DeWitt, John Donegani, Pierre Beaubien, Augustin Tulloch, Hosea Ballow Smith, Romuald Trudeau, Pierre Jodoin, Alexis Sauvageau, Thimothé Franchère, Joseph Frederick Allard, and Alexis Edouard Montmarquet, or any three of them, shall be Commissioners; and for the convenient management of their business, but for no other purpose, shall and may purchase, acquire and hold real or immoveable estates and property, not exceeding the yearly value of two thousand pounds, current money of this Province, and may sell, alienate and dispose of the same, and purchase, acquire and hold others in their stead, not exceeding in the whole the yearly value aforesaid, and shall be capable of receiving partners *in commendam* (*commanditaires*) as hereinafter provided.

Certain persons incorporated by the name of "La Banque du Peuple."

Corporate powers.

The persons incorporated, to have the sole management of the business of the bank, and be jointly and severally liable; but

II. And be it enacted, that the said above named persons, incorporated as aforesaid, and their successors, shall have the sole management of the affairs of the said Bank, so to be carried on by the said Corporation, and shall individually be jointly and severally liable for all the obligations and debts contracted by the said Corporation; and no partners *in commendam* (*commanditaires*) in the said Corporation shall in any case, or under any circumstances, either as regards the said Corporation,

Corporation, or as regards any Member thereof, or any other party or parties, be liable to pay any sum beyond the amount of the Stock for which he shall subscribe ; and if the sum which any partner *in commendam* (*commanditaire*) has agreed to furnish as Stock, be paid and lost in the business of the said Bank, he shall be exonerated from any other payment, and if any part be unpaid, he shall be liable for that amount and no more, as well to the said Corporation as to the creditors thereof ; and no partner *in commendam* (*commanditaire*) shall be liable to be called upon by the said Corporation, or its creditors, to refund any dividend he may have received of any net profits fairly made during the solvency of the said Corporation : Provided also, that any person ceasing to be a Member of the said Corporation shall not be liable for any debt contracted by the said Corporation after he shall have so ceased to be a Member of the same, if the public notice hereinafter required in that behalf be given : Provided further, that no person who shall have ceased to be a Member of the said Corporation, shall be individually liable, nor shall the heirs, executors, administrators or assigns of any person who shall have ceased to be a Member of the said Corporation be individually liable for the debts contracted by the said Corporation during the time that any such person shall have been a Member of the said Corporation, unless the action or suit to be brought for the purpose of having such individual liability judicially declared, be instituted within twelve months from the time at which such person shall, from any cause whatever, have ceased to be a Member of the said Corporation.

partners *in commendam*, only to the amount of their shares.

Proviso.

Limitation of actions.

III. And be it enacted, that all the affairs and business of the said Corporation shall be managed by the Members of the said Corporation, or by so many of them as may be authorized to that effect, by a majority of the whole of the Members of the said Corporation, and subject to and in conformity with the regulations and by-laws of the said Corporation, and the said regulations and by-laws to be made as hereinafter provided.

How the business shall be conducted.

IV. And be it enacted, that it shall and may be lawful for the Corporation hereby constituted, from time to time to make and enact by-laws, rules and regulations (the same not being repugnant to this Act or to the laws of this Province) for the proper management of the affairs of the said Corporation, and from time to time to alter or repeal the same, and others to make and enact in their stead.

Corporation may make by-laws.

V. And be it enacted, that the said Members of the said Corporation, and their successors, shall elect, so soon as the provision of this Act relating to the subscription of the Stock of the said Bank shall have been complied with, a President and Vice-President, who shall hold their appointment until the first Monday

President and Vice-President how elected ; and their time of service.

Monday of May following, and shall annually elect thereafter, from out of their number, on the first Monday of the month of May, a President and Vice-President, who shall hold their appointment for the ensuing twelve months ; and in the case of a vacancy in the office of President or Vice-President, the Members of the said Corporation for the time being (and their successors) shall fill the same by electing, from and out of their own number, a President or Vice-President to fill the office so vacant ; and the President or Vice-President so chosen or elected, shall continue in office until the first Monday of May next following the election of such President or Vice-President.

Mode of voting at meetings of the Corporation.

VI. And be it enacted, that at all meetings of the Members of the said Corporation, each Member of the said Corporation shall have a right to vote ; and at the said meetings the President, or in his absence the Vice-President, or in their absence, one of the Members present, to be chosen *pro tempore*, shall preside ; and the President, Vice-President, or Member acting as President *pro tempore*, shall not vote except in the case of an equal division of the votes of the other Members present, in which case he shall have a casting vote.

Amount of Capital Stock.

VII. And be it enacted, that the Capital Stock of the said Corporation hereby constituted, including as well the Stock of the said Members of the said Corporation, as the Stock of the said partners *in commendam* (*commanditaires*) shall be the sum of two hundred thousand pounds, currency, divided into sixteen thousand shares, of twelve pounds ten shillings, currency, each, and books of subscription for the Capital Stock by this Act authorized to be subscribed, shall be opened by such persons, at such times and places as to the said Members of the said Corporation or to the majority of them shall seem meet : Provided always, that it shall be lawful for any person, who, whether as a principal partner, (*associé gérant*) or as a partner *in commendam* (*commanditaire*) is now or hereafter may be a holder of Stock in the said Banking Copartnership now or heretofore carried on at Montreal aforesaid, under the name and firm of Viger, DeWitt and Company, to transfer his Stock in the last mentioned copartnership to the Corporation created by the present Act ; and such Stock, when so transferred, shall to all intents and purposes whatever be regarded and considered as part of the paid up Capital Stock of the Bank incorporated by this Act ; and the person so transferring the same shall be entitled to all the same rights, privileges and immunities that he would have been entitled to had he paid up the said shares in Gold or Silver ; and such transfer may be made in a book to be kept for that purpose by the Corporation created by this Act, and shall be signed by the party making such transfer, or his, her or their duly authorized attorney or attorneys, and shall be accepted by the President, Vice-President or Cashier of the Corporation created by this Act, and shall be notified to the said Banking Copartnership of

Transfer of Stock in a certain Copartnership to the Bank allowed.

Mode of effecting such transfer.

of Viger, DeWitt and Company, by leaving a copy of such transfer at the office or counting house of the said Banking Copartnership of Viger, DeWitt and Company, but notice as aforesaid of such transfer shall not be necessary if the said transfer be assented to in the last mentioned book of the said Corporation created by this Act, by a general partner (*associé gérant*) of the said Banking Copartnership of Viger, DeWitt and Company, authorized to that effect, or in the event of the dissolution of the copartnership of Viger, DeWitt and Company, whether by effluxion of time or otherwise, by any persons that may be named for the liquidation of the affairs of the said last mentioned firm ; and such transfer may be made according to the form of Schedule A, annexed to this Act.

Form.

VIII. And be it enacted, that each of the Members of the said Corporation shall subscribe and pay as hereinafter required, for at least forty shares of the said Capital Stock, and shall be a holder of the said Capital Stock to that extent so long as he continues a Member of the said Corporation ; and it shall and may be lawful for any persons, Her Majesty's subjects or foreigners, to subscribe for so many shares of the said Capital Stock as they may think fit ; and that the shares respectively subscribed for, shall be payable in equal instalments, that is to say, ten per centum on the amount of Stock subscribed by any party, shall be deposited at the time of subscribing with the agent appointed to open the books of such Bank, or in some Chartered Bank within the Province, to be called for by the said Members of the said Corporation or a majority of them, as soon as they may deem it expedient, and the remainder shall be payable at such period as the said Members of the said Corporation or a majority of them shall agree upon : Provided no instalment shall exceed ten per centum upon the Capital Stock, or be called for or become payable in less than thirty days after public notice to that effect shall have been given, in two or more of the newspapers published in the City of Montreal, in the English and French languages : and executors, administrators and curators, paying instalments on the shares of deceased Shareholders shall be and they hereby are respectively indemnified, for paying the same : Provided always, that one half of the amount of the Capital Stock shall be subscribed for and be actually paid in, before the Bank shall commence business, and that the residue of the said Capital Stock shall be subscribed for within twenty-four months after the Bank shall have commenced business, and that the whole amount of the Capital so subscribed shall be called in and paid within four years from the passing of this Act : Provided always, that nothing in this section contained shall be construed to prevent the transfer of Stock from the Banking Copartnership of Viger, DeWitt and Company, to the Corporation created by this Act as hereinbefore provided, or to interfere with the provisions hereinbefore contained respecting the transfer of the last mentioned Stock.

Each member of the Corporation to hold at least forty shares.

Subscriptions how to be paid in.

Proviso.

Proviso.

Proviso.

IX.

Penalty on
shareholders
neglecting to
pay the instal-
ments when
called for.

Proviso.
The Corpora-
tion may remit
such penalty.

Voluntary
payments al-
lowed.

Proviso as to
the amount of
such voluntary
payments, &c.

New members
of the Corpo-
ration may be
admitted.

IX. And be it enacted, that if any Shareholder, whether he be a Member of the said Corporation or a partner *in commendam* (*commanditaire*), shall refuse or neglect to pay any one or more of the instalments upon his, her or their shares of the said Capital Stock, at the time or times required by public notice as aforesaid, such Shareholder shall incur a forfeiture, to the use of the said Corporation, of a sum of money equal to ten pounds per centum on the amount of such share ; and moreover, it shall be lawful for the Members of the said Corporation or a majority of them, (without any formality other than thirty days of public notice of their intention) to sell at public auction the said shares, or so many of the said shares as shall, after deducting the reasonable expenses of the sale of the same, yield a sum of money sufficient to pay the unpaid instalments due on the remainder of the said shares and the amount of forfeitures incurred upon the whole ; and the President or Vice President, or Cashier of the said Corporation shall execute the transfer to the purchaser of the shares of Stock so sold, and such transfer, being accepted, shall be as valid and effectual in law as if the same had been executed by the original holder or holders of the shares of Stock thereby transferred : Provided always, that nothing in this section contained, shall be held to debar the Members of the said Corporation or a majority of them, at a general meeting, from remitting either in whole or in part, and conditionally or unconditionally, any forfeiture incurred by the non-payment of instalments as aforesaid : And it shall be lawful for any Shareholder, whether he be a Member of the said Corporation or a partner *in commendam* (*commanditaire*), to pay up the whole or any part of the Stock so subscribed for by him : Provided always, that no instalment so to be paid shall be less than ten pounds per centum on the amount of the share or shares to which such instalment shall apply ; and any instalment that may be so paid in advance, shall entitle the Stockholder to a share of profits proportioned to the instalments voluntarily paid, in the same manner as if the payment of such instalments had been required by notice under this Act as aforesaid ; and the said instalments so voluntarily paid in shall be in all respects regarded in the same light, and treated in the same manner as if the same had been required to be paid in, by public notice under this Act, as aforesaid.

X. And be it enacted, that it shall be lawful for the said Corporation to add to the number of its Members ; provided always that the number of the Members of the said Corporation shall not at any time be less than seven or more than fifteen, and that any person hereafter to be admitted as a Member of the said Corporation, shall be admitted on the same terms and conditions in all respects as the persons above named : and any person or persons hereafter becoming a Member of the said Corporation, as aforesaid, shall be subject in all respects to the same liabilities as the persons above named are subject to as Members of the

the said Corporation, and enjoy all the advantages, privileges and immunities that the persons above named can or may enjoy as Members of the said Corporation as aforesaid: And provided also, that if, from any cause whatever, the number of the Members of the said Corporation be reduced to a less number than seven, the said Corporation shall not be deemed or taken to be thereby dissolved, but it shall be the duty of the remaining Members of the said Corporation, whatever may be their number, within three months, to add to the number of their Members, so as to make up the number required by the foregoing provisions of the Law.

XI. And be it enacted, that any person who now is, or hereafter may be a Member of the said Corporation, shall be liable to be and may be expelled therefrom, if his expulsion be declared necessary and be pronounced by a vote of at least three-fourths of the Members present at a meeting of the Members of the said Corporation, called specially for that purpose: Provided the person proposed to be expelled be notified to appear at least fifteen days previous to the said meeting.

Members may be expelled in certain cases.

Proviso.

XII. And be it enacted, that in case of the death, retirement or expulsion of any one or more of the Members of the said Corporation, the remaining Members of the said Corporation may fill the vacancy or vacancies so caused, by admitting a new Member into the said Corporation in the place and stead of each of the said Members who may have so died, retired or been expelled: Provided always, that no such new Member shall be so admitted into the said Corporation unless the consent of the remaining Members of the said Corporation be testified by a vote of at least three-fourths of the said remaining Members of the said Corporation, at a meeting to be called specially for that purpose.

Vacancies in the Corporation how filled.

Proviso.

XIII. And be it enacted, that when any person, being a Member of the said Corporation, shall, from any cause whatever cease to be a Member of the said Corporation, the Stock belonging to such former Member of the said Corporation shall, during the continuance of this act, continue to form a part of the Capital Stock of the said Corporation; and such retired or expelled Member, and the legal representative or representatives of a deceased Member shall be in all respects subject to all the liabilities, and enjoy all the rights immunities and advantages of a partner *in commendam* (*commanditaire*) of the said Corporation, to the extent of the Stock so belonging to him.

Consequences of expulsion as to the stock of the member expelled.

XIV. And be it enacted, that the shares of the Capital Stock of the said Corporation shall be held and adjudged to be personal Estate, and be transmissible accordingly, and shall be assignable and transferable at the Bank, according to the form of Schedule B. annexed to this Act; but no assignment or transfer shall be valid

Stock to be personal property, and transmissible accordingly.

Lien of the Corporation of stock for debts due to it.

Parts of shares not transferable.
Stock sold under execution.

Proviso.

Division of profits.

Dividends, where payable.

Proviso.
Stock not to be impaired.

Regular books to be kept, and balanced

valid and effectual unless it be made and registered in the books so to be kept by the said Corporation for that purpose, nor until the person or persons making the same shall previously discharge all debts and liabilities contracted by him, her or them, and which may be due or owing, or to become due or owing to the said Corporation, and which may exceed in amount the remaining Stock (if any) belonging to such person or persons; and the said Corporation shall have a lien and privilege on the Stock of the said Corporation belonging to any Member thereof, or to any partner *in commendam* (*commanditaire*) for the payment of any debts or liabilities due or owing by any such Member of the said Corporation, or partner *in commendam* (*commanditaire*) to the said Corporation; and no fractional part or parts of a share, or other than a whole share, shall be assignable or transferable; and when any share or shares of the said Capital Stock shall have been sold under a Writ of Execution, the Sheriff by whom the Writ shall have been executed shall, within thirty days, after the sale, leave with the Cashier of the Corporation an attested copy of the Writ with the certificate of such Sheriff endorsed thereon, certifying to whom the sale has been made, and thereupon (but not until after all debts due by the original holder or holders of the said shares, or any copartnership in which the said holder may be interested, to the Corporation shall have been discharged as aforesaid,) the President or Vice-President, or Cashier of the Corporation shall execute the transfer of the share or shares so sold to the purchaser, and such transfer, being duly accepted, shall be to all intents and purposes, as valid and effectual in Law as if it had been executed by the original holder or holders of the said shares; any Law or usage to the contrary notwithstanding: Provided always, that each Member of the said Corporation shall at all times retain in his own name and possession the number of shares of the said Capital Stock of the said Corporation, as are required to make a person eligible to be a Member of the said Corporation, that is to say forty shares.

XV. And be it enacted, that the profits of the said Corporation shall be divided between all the said holders of the said Stock, whether they be Members of the said Corporation or partners *in commendam* (*commanditaires*) as aforesaid, in proportion to the Stock held by each such Member or partner *in commendam* (*commanditaire*); and it shall be the duty of the said Corporation to make half yearly dividends on the first Monday of March and September in each year, of so much of the profits of the said Corporation as to them shall appear advisable; and such dividends shall be payable at such place or places as the said Corporation shall appoint, and of which they shall give fifteen days public notice previously: Provided always, that such dividend shall not, in any manner, lessen or impair the Capital Stock of the said Corporation.

XVI. And be it enacted, that regular books of account shall be kept by the said Corporation, and the books so to be kept shall be balanced semi-annually; and before

before the declaration of each and every dividend, statements of the assets and liabilities of the Corporation shall be made, together with an inventory of all the property real and personal belonging to the said Corporation.

half-yearly,
&c.

XVII. And be it enacted, that the said books of account which it shall be the duty of the said Corporation to keep, as aforesaid, and the statement and inventory which it shall be the duty of the said Corporation to prepare semi-annually, as aforesaid, and all vouchers connected therewith, and generally all the deeds, books and papers of the said Corporation, shall, during the last fifteen days of the months of February and August, in each and every year, but at no other period, be open to the examination of a Board of Audit, to be elected as hereinafter provided; the said deeds, books and papers shall not, however, be removed from the office of the said Bank.

Books, &c., to
be open to a
Board of Audit
at certain
times.

XVIII. And be it enacted, that on the first Monday of March, in every year during the continuance of this Act, a general meeting of all the Stockholders of the said Corporation, including as well the Members of the said Corporation as each of the said partners *in commendam* (*commanditaires*), shall be held at the office of Montreal of the said Corporation, of which general meeting one month's notice shall be given in two or more of the newspapers published in the said City of Montreal, in the English and French languages; and at the said meeting a full and clear statement of the affairs of the said Corporation shall be submitted, containing on the one part the amount of Capital Stock paid in, the amount of Notes of the Bank in circulation, the net profits in hand, the balances due to other Banks and Institutions, and the cash deposited in the Bank, distinguishing Deposits bearing interest from those not bearing interest, and on the other part the amount of current Coins and Gold and Silver Bullion in the vaults of the Bank, the value of buildings and other real estate belonging to the Bank, the balances due to the Bank from other Banks and Institutions, and the amount of debts owing to the Bank including and particularising the amounts so owing on Bills of Exchange, Discounted Notes, Mortgages and Hypothecs, and other Securities; thus exhibiting, on the one hand, the liabilities of, or debts due by the Bank, and on the other hand, the assets and resources thereof; and the said statement shall also exhibit the rate and amount of the then last dividend declared, the amount of profits reserved at the time of declaring such dividend, and the amount of debts to the Bank over-due and not paid, with an estimate of the loss which may probably be incurred from the non-payment of such debts.

General meet-
ing of all the
shareholders,
how and when
to be held,
and statements
to be exhibi-
ted at such
meetings.

XIX. And be it enacted, that at the annual general meeting so to take place on the first Monday of March, all the said partners *in commendam* (*commanditaires*) of the said Corporation then present, shall, by vote, elect from among themselves,
three

Election of
the Board of
Audit.

Duties of the Board.

three persons to be a Board of Audit; and it shall be the duty of the said Board of Audit so elected to look into all the operations of the said Corporation, and to examine the books of account, papers and vouchers of the said Corporation, which books, papers and vouchers shall be accessible to the said Board of Audit as provided for in the seventeenth section of this Act; and it shall be the duty of the said Board of Audit to make their report thereon at the next general meeting of the said Corporation, to be held on the first Monday of March, as aforesaid; and each partner *in commendam* (*commanditaire*) shall have one vote and no more, and if there be an equal division as to the appointment of any person to be a Member of the said Board of Audit, the partner *in commendam* (*commanditaire*) then present, having the largest quantity of Stock in the said Corporation, shall have a casting vote; and it shall be lawful for any absent partner *in commendam* (*commanditaire*) to give their, his or her vote respecting the nomination of the said Board of Audit by proxy, such proxy being also a partner *in commendam* (*commanditaire*), and being provided with a written authority from his constituent or constituents, and which authority shall be lodged in the Bank.

Mode of voting.

Proxies.

Certain books, shewing all the partners, to be kept.

XX. And be it enacted, that a book shall be kept by the said Corporation, in which each person who shall be admitted as a partner *in commendam* (*commanditaire*) in the said Corporation, shall enter his or her name, addition and residence, the number of shares taken by such person, and the date of the making of such entry, or cause such entry to be made; and it shall be the duty of the Cashier of the said Corporation to grant to each partner *in commendam* (*commanditaire*) a certificate setting forth the date and particulars of the entry so to be made.

And other books shewing the names of all members of the Corporation.

XXI. And be it enacted, that it shall be the duty of the said Corporation to keep a book, in which shall be entered the name and addition and residence of each of the Members of the said Corporation; and it shall be the duty of the said Corporation, before commencing the business and operations of the said Bank, to cause an extract from the said last mentioned book, under the signature of the Cashier of the said Corporation and of the President or Vice-President thereof, to be filed at the office of the Prothonotary of the Court of King's Bench for the District of Montreal, setting forth the name, addition and place of residence of each of the Members of the said Corporation; and it shall also be the duty of the said Corporation to record in the said last mentioned book all changes in the Members composing the said Corporation, whether occasioned by the death, retirement or expulsion of any of the Members thereof, or by any addition or additions to the number of the Members of the said Corporation; and in any such change it shall be the duty of the said Corporation to make an entry in the last mentioned book of such change, under the hand of the Cashier of the said Corporation, setting forth the date of such entry and the time when such change took place, and giving the name, addition

dition and residence of the person so dead or expelled, or who may have retired from, or become a Member of the said Corporation ; and it shall be lawful for any Member of the said Corporation to retire from the said Corporation on giving one month's notice thereof in writing to the Cashier of the said Corporation, and it shall be the duty of the said Corporation, without delay, to cause an entry to be made in the last mentioned book, setting forth the date of the entry, and the name of the party giving notice, and the date and nature of the said notice, and to grant the party giving such notice an acknowledgement in writing of the receipt of such notice, and after the expiration of thirty days from the giving of notice as aforesaid, (the day on which such notice may be given not to be counted,) the Member of the said Corporation so giving such notice shall cease to be a Member of the said Corporation, and shall not be liable for any debts of any nature or description whatsoever which may be contracted by the said Corporation from and after the time at which he shall so cease to be a Member of the said Corporation ; and it shall also be the duty of the Corporation, without any wilful delay, to give notice, under the signature of the Cashier of the said Bank, for a period of one month in two or more of the public newspapers published at the City of Montreal aforesaid, in the English and French languages, of all changes in the Members composing the said Corporation, whether occasioned by the death, retirement or expulsion of any Member, or by the addition of any Member or Members to the number of the Members of the said Corporation.

Members of the Corporation may retire therefrom.

Public notice of change of members to be given.

XXII. And be it enacted, that the said Corporation, or a majority of the Members thereof, or a majority of the Members authorized, according to the provisions of this Act, to manage the affairs of the said Corporation, shall have power to appoint such Cashier, Officers, Clerks and Servants under them as shall be necessary for conducting the business of the said Corporation, and to allow reasonable compensation for their services respectively : Provided always, that before permitting any Cashier, Officer, Clerk or Servant of the Corporation to enter upon the duties of his Office, the said Corporation shall require every such Cashier, Officer, Clerk or Servant to give Bond to the satisfaction of the said Corporation, that is to say : every Cashier, in a sum not less than Four Thousand Pounds, Current money of Canada,—and every other Officer, Clerk or Servant, in such sum of money as the said Corporation consider adequate to the trust reposed, with conditions for good and faithful behaviour ; and the compensation so to be allowed to the said Cashier, Officers, Clerks or Servants, as also house rent and all expenses incidental to or consequent upon the business of the said Corporation, shall be deducted each half year from the profits of the said Corporation before the declaration of the semi-annual dividend ; and if, in the opinion of the majority of the Members of the said Corporation, it shall be necessary to require any one or more of the Members of the said Corporation to devote a greater portion

Cashier and other officers how to be appointed.

Proviso. Officers to give security.

Members of the Corporation giving more than ordinary atten-

of

tion to its business may be paid.

of his or their time to the business and affairs of the said Corporation than can be reasonably required from such Member or Members without compensation, it shall be lawful for the said Corporation to compensate such Member or Members for his or their services, by a fixed salary or otherwise, as to the said Corporation or to a majority of the Members thereof may seem expedient.

In what the said Corporation may deal.

XXIII. And be it enacted, that the said Corporation hereby constituted shall not either directly or indirectly hold any lands or tenements (save and except such as by the first section of this Act they are specially authorized to acquire and hold) or any ships or other vessels, or any share or shares of the Capital Stock of the said Corporation, nor shall the said Corporation, either directly or indirectly lend money or make advances upon the security, mortgage or hypothecation (*hypothèque*) of any lands or tenements, or of any ships or other vessels, nor upon the security or pledge of any share or shares of the Capital Stock of the Corporation, or of any goods, wares or merchandize, or deal in the buying, selling or bartering of goods, wares or merchandize, or engage or be engaged in any trade whatsoever except as Dealers in Gold and Silver Bullion, Bills of Exchange, Discounting of Promissory Notes and Negotiable Security, and in such trade generally as legitimately appertains to the Business of Banking : Provided always, that the said Corporation may take and hold mortgages and *hypothèques* on real estate and property in this Province by way of additional security for debts contracted to the Corporation in the course of their dealings.

Proviso.

Obligations and notes of the Corporation, how to be transferable.

XXIV. And be it enacted, that the Bonds, Obligations and Bills Obligatory and of Credit of the said Corporation under the Common Seal, and signed by the President or Vice-President and countersigned by a Cashier thereof, which shall be made payable to any person or persons, shall be assignable by indorsement thereon under the hand or hands of such person or persons, and of his, her, or their assignee or assignees, and so as absolutely to transfer and vest the property thereof in the several assignees successively, and to enable such assignee or assignees to bring and maintain an action or actions thereupon in his, her or their own name or names ; and signification of any such assignment by indorsement shall not be necessary, any law or usage to the contrary notwithstanding ; and Bills or Notes of the Corporation, signed by the President or Vice-President, and countersigned by a Cashier thereof, promising the payment of money to any person or persons, his, her or their order, or to the bearer, though not under the Seal of the Corporation, shall be binding and obligatory upon the same in the like manner and with the like force and effect as they would be upon any private person or persons if issued by him, her or them, in his, her or their private or natural capacities, and shall be assignable or negotiable in the like manner as if they were so issued by such private person or persons

Notes payable to bearer.

XXV.

XXV. And be it enacted, that it shall and may be lawful for the said Corporation to allow and pay interest (but not exceeding the legal rate of interest in this Province) upon moneys deposited in the Bank ; and also it shall and may be lawful for the said Corporation, in discounting Promissory Notes or other Negotiable Securities, to receive or retain the Discount thereon at the time of the discounting or negotiating the same ; any law or usage to the contrary notwithstanding.

Corporation may retain discount at the time of discounting.

XXVI. And be it enacted, that the total amount of the Notes or Bills of the said Corporation being for a less sum than one pound, current money of Canada, each, that shall be or may have been issued and put in circulation, shall not exceed, at any one time, one fifth of the amount of the Capital Stock of the Corporation then paid in : Provided always, that no Notes, under the nominal value of five shillings, shall be issued or put in circulation by the Corporation, nor shall any limitation by the Legislature of the total amount of Notes to be issued, or re-issued by the said Corporation, be held to be an infringement upon the privilege hereby granted.

Total amount of notes of the Corporation for less than £1 each, limited.

XXVII. And be it enacted, that if at any time it shall happen that an election of any Officer or Officers of the said Corporation required to be elected by this Act, shall not be made or take effect on the day fixed by this Act, the said Corporation shall not be deemed or taken to be thereby dissolved, but it shall be lawful at any subsequent time to make such election at a general meeting of the Members of the said Corporation to be duly called for that purpose.

Corporation not to be dissolved by failure to elect.

XXVIII. And be it enacted, that no Member of the said Corporation hereby constituted, shall, directly or indirectly, act as a Private Banker during the time he may so be a Member of the said Corporation : Provided always, that nothing herein contained shall prevent any Member of the said Corporation from holding Stock in any other Chartered Bank.

No member of the Corporation to act as a Banker. Proviso.

XXIX. And be it enacted, that it shall not be lawful for the Corporation hereby constituted, at any time whatever, directly or indirectly, to advance or lend, to or for the use, or on account of any Foreign Prince, Power or State, any sum or sums of money, or any securities for money ; and if such unlawful advance or loan be made, then and from thenceforth the said Corporation shall be dissolved, and all the powers, authorities, rights, privileges and advantages hereby granted, shall cease and determine ; any thing in this Act to the contrary notwithstanding.

Corporation not to lend money to any foreign Prince or State.

XXX. And be it enacted, that a suspension by the said Corporation of payment on demand, in Specie, of the Notes or Bills of the said Corporation payable

Suspension of payment for a

certain time to
forfeit the
charter.

on demand, shall, if the time of suspension extend to sixty days, consecutively or at intervals, within any twelve consecutive months, operate as and be a forfeiture of this Act of Incorporation, and all and every the privileges hereby granted.

Total amount
of liabilities
limited.

XXXI. And be it enacted, that the total amount of the debts which the said Corporation shall at any time owe, whether by Bond, Bill, Note or otherwise, shall not exceed three-times the aggregate amount of the Capital Stock paid in and the Deposits made in the Bank in Specie and Government securities for money; and at no one period, after the passing of this Act, shall the Notes or Bills payable on demand and to bearer, exceed the amount of the actually paid up Capital Stock of the said Corporation, and in case of excess the said Corporation shall forfeit this Act of Incorporation and all the privileges hereby granted.

Officers of the
Bank embez-
zling moneys,
&c., entrusted
to them to be
guilty of felo-
ny.

XXXII. And be it enacted, that if any Officer, Cashier, Manager, Clerk or Servant of the Corporation hereby constituted, shall secrete, embezzle or abscond with any Bond, Obligation, Bill Obligatory or of Credit, or other Bill or Note, or with any security for money or moneys, or effects entrusted to him as such Officer, Cashier, Manager, Clerk or Servant, whether the same belong to the said Corporation, or, belonging to any other person or persons, Body or Bodies Politic or Corporate, or Institution or Institutions, be lodged and deposited with the said Corporation, the Officer, Cashier, Manager, Clerk or Servant so offending, and being thereof convicted in due form of Law, shall be deemed guilty of felony.

Persons forg-
ing notes, &c.,
of the Bank,
to be guilty of
felony.

XXXIII. And be it enacted, that if any person or persons shall forge or counterfeit the Common Seal of the Corporation hereby constituted, or shall forge or counterfeit, or alter any Bond, Obligation, Bill Obligatory or of Credit, or any other Bill or Note of the said Corporation, or any indorsement or indorsements thereon, with an intention to defraud the said Corporation, or any person or persons, Body or Bodies Politic or Corporate, or Institution or Institutions whomsoever and whatsoever, or shall offer to pass any forged, counterfeit or altered Bond, Obligation, Bill Obligatory or of Credit, or any other Bill or Note of the said Corporation, or indorsement or indorsements thereon, or shall demand the money therein mentioned, knowing the same to be forged, counterfeit or altered, every such person, for every such offence, upon conviction thereof in due form of Law, shall be deemed and adjudged to be guilty of felony.

Persons hav-
ing in their
possession in-
struments for

XXXIV. And be it enacted, that if any person shall engrave, form, make or mend any plate or plates, paper, rolling press or other tool, instrument or material devised, adapted or designed for stamping, forging or making any false or counterfeit

terfeit Bill of Exchange, Promissory Note, Undertaking or Order, or use any chemical process for the purpose of altering any bill or paper or security for money, of the said Corporation, or of any of the Officers or persons engaged in the management of the affairs of the said Corporation, in the name or on the behalf thereof, or shall have in his possession any such plate or plates, engraven in any part, or any such paper, rolling press or other tool, instrument or material, devised, adapted or designed as aforesaid, with the intent to use and employ the same, or to cause or permit the same to be used and employed in forging and making any such false and counterfeit Bills of Exchange, Promissory Notes, Undertakings or Orders, every person so offending shall be deemed and taken to be guilty of felony, and the proof that such plate, paper, rolling press or other tool, instrument or material, as aforesaid, was formed, made, engraved or mended by, or was in the possession of such person for some lawful purpose, shall lie upon him or her.

forging, &c., to
be guilty of
felony.

XXXV. And be it enacted, that every person convicted of felony under this Act, shall be punished by imprisonment at hard labour in the Provincial Penitentiary for any term not less than seven years, or by imprisonment in any other Gaol or place of confinement for any term not exceeding two years.

Punishment of
such felony.

XXXVI. And be it enacted, that it shall and may be lawful to and for any one Justice of the Peace, on complaint made before him, upon oath of one credible person, that there is just cause to suspect that one or more person or persons is or are, or hath or have been concerned in making, or in altering, or counterfeiting any such false Bills of Exchange, Promissory Notes, Undertakings or Orders, as aforesaid, by warrant under the hand of such Justice, to cause the dwelling-house, room, workshop, outhouse or other building, yard, garden or other place belonging to such suspected person or persons, or where any such person or persons shall be suspected of carrying on any such making or counterfeiting, to be searched; and if any such false Bills of Exchange, Promissory Notes, Undertakings or Orders, or any such plates, rolling presses, or other tools, instruments or materials, shall be found in the custody or possession of any person or persons whomsoever not having the same by some lawful authority, it shall and may be lawful to and for any person or persons whomsoever discovering the same, to seize, and he and they are hereby authorized and required to seize such false or counterfeit Bills of Exchange, Promissory Notes, Undertakings or Orders, and such plates, rolling presses or other tools, instruments or materials, and to carry the same, forthwith, before a Justice of the Peace of the County or District (or if more convenient, of the adjoining County or District), in which the same shall be seized, who shall cause the same to be secured and produced in evidence against any person or persons who shall or may be prosecuted for any

Power to
search for for-
ged notes, &c.,
or instruments
for forging.

The same to
be secured and
destroyed.

of

of the offences aforesaid, in some Court of Justice, proper for the determination thereof, and the same, after being so produced in evidence, shall by order of the Court be defaced or destroyed, or otherwise disposed of as such Court shall direct.

A certain statement of the affairs of the Corporation to be prepared and laid before the Governor.

XXXVII. And be it enacted, that besides the detailed statement of the affairs of the said Corporation hereinbefore required to be laid before the Shareholders thereof at their annual general meeting, the Corporation shall make up and publish on the first Monday of March and September in every year, statements of the assets and liabilities of the Corporation, in the form of the Schedule C. hereunto annexed, shewing, under the heads specified in the said form, the average of the amount of the Notes of the Corporation in circulation, and other liabilities, at the termination of each month during the period to which the statement shall refer, and the average amount of Specie and other assets, that, at the same times, were available to meet the same : and it shall also be the duty of the Corporation to submit to the Governor, Lieutenant-Governor, or person administering the Government of this Province, a copy of each of such half yearly statements ; and if by him required, to verify all or any part of the said statements, the said Corporation shall verify the same by the production of the balance-sheets, from which the said statements shall have been compiled : and furthermore, the Corporation shall from time to time, when required, furnish to the said Governor, Lieutenant-Governor, or person administering the Government of this Province, such further information respecting the state and proceedings of the Corporation, and of the several Branches and Offices of Discount and Deposit thereof, as such Governor, Lieutenant-Governor, or person administering the Government of this Province may reasonably see fit to call for : Provided always, that the balance-sheets and the further information that shall be so produced and given, shall be held by the said Governor, Lieutenant-Governor or person administering the Government of this Province, as being produced and given in strict confidence that he shall not divulge any part of the contents of the said balance-sheets or of the information that shall be so given : and provided also, that the Corporation shall not, nor shall any thing herein contained be construed to authorize them or any of them to make known the private account or accounts of any person or persons whomsoever having dealings with the Corporation.

Proviso.

Proviso.

Rights of the Crown saved.

XXXVIII. And be it enacted, that nothing in this Act contained shall in any manner derogate from or affect, or be construed to derogate from or affect the rights of Her Majesty, Her Heirs and Successors, or of any person or persons, or of any Body or Bodies Politic or Corporate, except in so far as the same may be specially derogated from or affected by the provisions of this Act.

XXXIX.

XXXIX. And be it enacted, that this Act shall be held and taken to be a Public Act, and shall be judicially taken notice of, and have the effect of a Public Act without being specially pleaded.

XL. And be it enacted, that this Act shall be and remain in force until the first day of June, which will be in the year of our Lord one thousand eight hundred and sixty-two, and from that time until the end of the then next Session of the Parliament of this Province, and no longer.

FORM OF SCHEDULE A.

Referred to in the seventh Section of the foregoing Act.

For value received from
 of I (or we)
 , do hereby assign and transfer to La Banque du Peuple
 shares (on each of which has been paid
 pounds shillings, currency, amounting to the sum
 of pounds shillings) in the Capital Stock of the Banking Copart-
 nership of Viger, DeWitt and Company, carrying on the Trade and Business of
 Bankers, at Montreal, in the District of Montreal.

Witness, my (or our) hand (or hands), at the said Banque du Peuple, this
 day of , one thousand eight hundred
 and
 (Signatures.)

The said Banque du Peuple hereby accept the foregoing assignment of
 shares in the Stock of the said Banking Copartnership of Viger, DeWitt and
 Company, assigned as above mentioned, at the Banque du Peuple, this
 day of one thousand eight hundred and

(Signature.)

The said Viger, DeWitt and Company, hereby assent to the above Transfer,
 and consider the same duly notified to them.

Montreal,

Montreal, this day of , one thousand eight hundred
and

(Signature.)

FORM OF SCHEDULE B.

Referred to in the fourteenth Section of the foregoing Act.

For value received from _____ I (or we), _____ of _____, do hereby assign and transfer unto the said _____ shares (on each of which has been paid _____ pounds _____ shillings, currency, amounting to the sum of _____ pounds _____ shillings) in the Capital Stock of La Banque du Peuple, subject to the rules and regulations of the said Bank.

Witness, my (or our) hand (or hands) at the said Bank, this
day of _____, in the year one thousand eight hundred and

(Signatures.)

I (or we) do hereby accept the foregoing assignment of shares in the Stock of La Banque du Peuple, assigned to me (or us), as above mentioned, at the Bank, this day of , one thousand eight hundred and .

(Signature.)

FORM OF SCHEDULE C.

Referred to in the thirty-seventh section of the foregoing Act.

RETURN of the average amount of LIABILITIES and ASSETS of *La Banque du Peuple*, during
the period from 1st to 18 .

LIABILITIES.	MONTH ENDING.					
	30th Sep. 18	31st Oct. 18	30th Nov. 18	31st Dec. 18	31st Jan. 18	28th Feb. 18
Promissory notes in circulation not bearing interest.....£						
Bills of Exchange in circulation not bearing interest.....£						
Bills and Notes in circulation bearing interest.....£						
Balance due to other Banks.....£						
Cash Deposits, not bearing interest.....£						
Cash Deposits, bearing interest.....£						
Total average Liabilities.....£						
ASSETS.						
Coin and Bullion.....£						
Landed or other property of the Bank.....£						
Government Securities.....£						
Promissory Notes or Bills of other Banks.....£						
Balances due from other Banks.....£						
Notes and Bills discounted, or other debts due to the Bank, not included under the foregoing heads.....£						
Total average Assets.....£						

CAP. LXVII.

An Act to amend the Act incorporating the Bank of the Niagara District, by providing for the extension of the time limited for the paying up of the Stock of the said Bank.

9th December, 1843.—Presented for Her Majesty's Assent, and reserved "for the signification of Her Majesty's pleasure thereon."

23d May, 1844.—Assented by Her Majesty, in Privy Council.

27th June, 1844.—The Royal Assent signified by the Proclamation of His Excellency SIR CHARLES THEOPHILUS METCALFE, Governor General.

WHEREAS the persons incorporated by the Act of the Legislature of his Province, passed in the Session held in the fourth and fifth years of Her Majesty's Preamble.

Majesty's Reign, and intituled, *An Act to incorporate sundry persons under the style and title of The President, Directors and Company of the Bank of the Niagara District*, have, by their petition, prayed that the time within which, under the provisions of the said Act, the whole amount of the Capital Stock of the Bank therein mentioned, must be subscribed for and paid in, may be extended in the manner hereinafter provided, and it is expedient to grant the prayer of the said petition: Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that so much of the Act herein first above cited as requires that the whole amount of the Capital Stock of the said Bank shall be subscribed for within eighteen months from the passing of the said Act, and that the whole amount of the Capital so subscribed shall be called in and paid within two years from the passing of the said Act, shall be and so much of the said Act is hereby repealed: Provided always, that the whole amount of the Capital Stock of the said Bank shall be subscribed for within two years from the passing of this Act, and the whole amount of the Capital Stock so subscribed for shall be called in and paid up within four years from the passing of this Act, under the same forfeiture and penalty if the requirements of this Act be not complied with, as if the periods herein last mentioned had been those fixed for the like purposes, respectively, in and by the Act hereinabove recited.

Repealed
clauses of former Act.

Responsibility
of Shareholders and Directors in their private estates.

II. And be it enacted, that in the event of the property and assets of the said Bank becoming insufficient to meet the liabilities and engagements or debts thereof, the Shareholders in the said Bank, in their private and natural capacities, shall be liable and responsible for the deficiency, but to no greater amount than the amount of the unpaid part of their respective shares, that is to say, the total responsibility of each Shareholder shall be equal to the amount of his or her share in the Capital Stock of the said Bank, any thing in the Act hereinbefore cited and amended to the contrary notwithstanding: Provided always, that the Directors of the said Bank, in the office at the time such deficiency shall happen, and for twelve months thereafter, shall be liable for the full amount thereof, jointly and severally in their private and natural capacities to the creditors of the said Bank; but such liability shall not exempt the said Bank or the lands, tenements, goods and chattels thereof, from being also liable for such deficiency.

CAP. LXVIII.

An Act to Incorporate the Church Societies of the United Church of England and Ireland, in the Dioceses of Quebec and Toronto.

9th December, 1843.—Presented for Her Majesty's Assent, and reserved "for the signification of Her Majesty's pleasure thereon."

23d May, 1844.—Assented by Her Majesty, in Privy Council.

27th June, 1844.—The Royal Assent signified by the Proclamation of His Excellency SIR CHARLES THEOPHILUS METCALFE, Governor General.

WHEREAS it has been represented to the Legislature of this Province, that certain persons hereinafter named, and divers others, inhabitants of Lower Canada, and also certain other persons hereinafter named, and divers others, inhabitants of Upper Canada, have respectively established themselves together under a Constitution, Rules and Regulations, and have contributed, or engaged to contribute considerable sums of money, and have given or granted, or promised to give or grant, lands or real estate for the following objects, that is to say :— First, for the encouragement and support of Missionaries and Clergymen of the United Church of England and Ireland, severally within the Dioceses of Quebec and Toronto, and for creating a fund towards the augmentation of the Stipends of poor Clergymen, and towards making a provision for those who may be incapacitated by age or infirmity, and for the widows and orphans of the Clergy of the said Church, respectively, in the said Dioceses; Secondly, for the encouragement of Education and the support of Day Schools and Sunday Schools in the said Dioceses, respectively, in conformity with the principles of the said Church; Thirdly, for granting assistance, where it may be necessary, to those who may be preparing for the Ministry of the Gospel in the said Church within the said Dioceses, respectively; Fourthly, for circulating in the said Dioceses, respectively, the Holy Scriptures, the Book of Common Prayer of the said Church, and such other Books and Tracts as shall be approved by the several Central Boards or Managing Committees of the said Associations; Fifthly, for obtaining and granting aid towards the erection, and endowment and maintenance of Churches according to the establishment of the said Church in the said Dioceses, respectively, the creation and maintenance of Parsonage Houses, the setting apart of Burial Grounds and Church-Yards, the endowment and support of Parsonages and Rectories according to the said establishment, and the management of all matters relating to such endowments: And whereas it would tend greatly to facilitate and promote the purposes of the said Associations that they should severally be incorporated and empowered to hold property in mortmain without Letters of License, and to manage, administer, alienate or dispose of the same, for the uses and purposes aforesaid, and to make and enforce rules and regulations, respectively, for the government of the said Associations, severally, and for better attaining the purposes aforesaid: Be it therefore

D

Certain persons Incorporated—Church Society of Quebec.

Church Society of Toronto.

therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that the Lord Bishop of the said Diocese of Quebec, the Lord Bishop of Montreal, or the Bishop administering the said Diocese for the time being, and William Smith, Andrew W. Cochran, Henry Jessop, Henry J. Noad, John Racey, James H. Kerr, David Burnet, W. H. Leaycraft, John M. Fraser, the Reverend C. L. F. Haensel, George Hall, James Bolton, the Reverend George Mackie, the Reverend Edward Cusack, Robert Symes, the Reverend Edmund W. Sewell, William Price, Noah Freer, Edward Bowen, John G. Irvine, Hammond Gowen, Sir James Stuart, Baronet, Matthew Bell, William Phillips, Henry LeMesurier, Junior, Edward L. Montizambert, Thomas Trigge, Peter Patterson, George B. Hall, James Turibull, William Stevenson, James B. Forsyth, Alexander D. Bell, James Dyke, William Bowes, R. M. Harrison, H. S. Dalkin, Edward Boxer, Archibald Campbell, Charles Secretan, James McKenzie, E. P. Woolrich, George H. Parke, Samuel McCaulay, James J. Loundes, G. Newton, Charles Secretan, Thomas Glover, Robert Daikers, H. W. Welch, and such other persons as are now Members of the said Association of the Diocese of Quebec, according to the existing Constitution, Rules and Regulations thereof, and their successors to be elected in the manner hereinafter provided, and such other persons as shall from time to time hereafter be elected to be Members of the said Association in the manner hereinafter provided, shall be and are hereby declared to be a Body Corporate and Politic, in name and in deed, by the name of "The Church Society of the Diocese of Quebec," and that the Lord Bishop of Toronto, the Venerable George Okill Stuart, Robert Simpson Jameson, Levi Peter Sherwood, James B. Macaulay, Jonas Jones, Christopher Alexander Hagerman, Peter Boyel De Blaquièrre, William Henry Draper, John Simcoe Macaulay, James Gordon, John Boulton, John Solomon Cartwright, D'Arcy Boulton, Mahlon Burwell, John B. Askin, Thomas Mercer Jones, Frederick Widder, William B. Jarvis, Henry Ruttan, Joseph Wells, Walter Boswell, Zaccheus Burnham, T. A. Stewart, William Dickson, James Kerby, William Allan, George Crookshank, R. C. Wilkins, Philip Vankoughnet, Gerrard Lloyd, John Macaulay, Sir Allan Napier Macnab, Guy C. Wood, George Salmon, Henry Sherwood, and such other persons as are now Members of the said Association of the Diocese of Toronto, according to the existing Constitution, Rules and Regulations thereof, and their successors, to be elected in the manner hereinafter provided, and such other persons as shall from time to time hereafter be elected to be Members of the said Association in the manner hereinafter provided, shall be and are hereby declared to be a Body Corporate and Politic, in name and in deed, by the name of "The Church Society of the

the Diocese of Toronto," and that by the said names the said Associations shall have each perpetual Succession and a Common Seal, with power to change, alter, break, or make new the same, as often as they shall judge expedient, and that they and their successors by the same names, respectively, may sue and be sued, implead and be impleaded, answer and be answered unto, in any Court of Record, or other place of Judicature within this Province; and that they and their successors, by the names aforesaid, shall be able and capable in law, respectively, to purchase, take, have, hold, receive, enjoy, possess and retain, without license, in mort-main or *Lettres d'Amortissement*, all messuages, lands, tenements, and immoveable property, money, goods, chattels, and moveable property, which have been or hereafter shall be paid, given, granted, purchased, appropriated, devised or bequeathed in any manner or way whatsoever, to, for, and in favor of the said Church Societies, respectively, to and for the uses and purposes aforesaid or any of them, and to do, perform and execute all and every lawful act and thing useful and necessary for the purposes aforesaid, in as full and ample a manner, to all intents, constructions and purposes as any other Body Politic or Corporate by law may or ought to do.

Common Seal
and perpetual
Succession.

II. And be it enacted, that all lands, messuages, tenements, hereditaments, or immoveable property, and all rents, sum and sums of money, charged upon and issuing or payable out of any lands, messuages, tenements, hereditaments, or immoveable property, as aforesaid, and all sums of money, goods, chattels, effects, or moveable property, which have been or shall hereafter be paid, given, granted, purchased, appropriated, devised, or bequeathed in any manner or way whatsoever, to, for, or in favor of the said Corporations, respectively, to and for the uses and purposes aforesaid, shall be and the same are hereby vested in the said Corporations, respectively, to and for the uses and purposes aforesaid, in such manner and form, and subject to such by-laws, rules and regulations, as may be made and passed by the said Corporations, respectively, concerning the same, in the manner hereinafter provided: And that the said Corporations or the Central Boards thereof, or such other Executive and Managing Committees thereof as shall from time to time be appointed and authorized for this purpose by the by-laws, rules and regulations, which may be made and passed in the manner hereinafter mentioned, for the government of the said Corporations, shall, respectively, have power and authority to alienate or exchange, and to demise, let and lease for any term of years, such messuages, lands, tenements, hereditaments and immoveable property as shall be so as aforesaid, given, granted, purchased, appropriated, devised or bequeathed to the said Corporation, respectively, for all or any of the purposes aforesaid, and to have, receive, and take the purchase money, consideration or price, rents, issues or profits thereof: Provided always, that the said Corporations or Central Boards thereof, or such other Executive or Managing Committees, as aforesaid, shall, respectively, have, receive, take and hold such purchase money, consideration, or price, rents, issues or profits, for the uses and purposes hereinbefore mentioned and set forth, or some or one of them, and for none other.

Property vested in said Corporations.

May exercise all the rights of ownership.

Proviso.

III.

Business meet-
ings of Corpo-
rations.

III. And be it enacted, that the said Corporations, and their successors, shall and may respectively, from time to time, hold assemblies and meetings of the said Corporations, which shall be called together in such manner and at such times and places as shall be directed and appointed by the by-laws, rules and regulations of the same, to transact the business of the said Corporations, and shall and may at any such meeting elect such persons to be Members of the said Corporations, respectively, as they or the major part of them then present shall think fit : Provided always, that no act done in any such assembly or meeting of the said Corporations shall be valid or effectual, unless six persons of such Corporations, at the least, shall be present, and the major part of them consenting thereto.

Proviso.

By-laws,
rules and regu-
lations.

IV. And be it enacted, that the said Corporations, or the major part of those who shall be present at any of the meetings of the said Corporations to be held in manner aforesaid, shall and may, respectively, make and ordain any constitution, by-laws, rules and regulations, whatsoever, which to them or the major part of them then present, not being fewer in number than six, as aforesaid, shall seem meet, reasonable or requisite, touching and concerning the well ordering and governing of the affairs and business of the said Corporations and the due administering and improving the property thereof, and the more effectually promoting the purposes thereof, as aforesaid, and such constitution, by-laws, rules and regulations in like manner from time to time to abrogate, repeal, change or alter as may be found expedient, which constitution, by-laws, rules and regulations, shall be binding upon and shall be observed, performed and kept by the Members of the said Corporations, respectively : Provided always, that the same shall not be repugnant or contrary to the aforesaid purposes of such Corporations, or to the laws in force in this Province.

Written sanc-
tion of Bishop
to By-Laws,
&c.

V. Provided always nevertheless, and be it enacted, that no such constitution, by-law, rule or regulation, of either of the said Church Societies of the Dioceses of Quebec and Toronto, nor any abrogation, repeal, change or alteration of the same, shall be of any force or effect until it shall have been Sanctioned and Confirmed by the Bishop of or administering such Diocese for the time being, by Writing under His Hand.

Rights of the
Crown saved.

VI. And be it enacted, that nothing herein contained shall affect or be construed to affect in any manner or way the rights of Her Majesty, Her Heirs or Successors, or of any person or persons, or of any Body Politic or Corporate, such only excepted as are hereinbefore mentioned and provided for.

Public Act.

VII. And be it enacted, that this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices of the Peace, and other persons whatsoever, without being specially pleaded.

ANALYTICAL INDEX TO RESERVED ACTS—

PROVINCE OF CANADA :

Passed in the 3rd Session of 1st Parliament—1843.

Continuation of Volume III.

Viz :

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Church Societies Incorporation Act. Cap. 68.	- - -	"	413

B.

Banking.

1. To incorporate certain persons carrying on the business of banking in Montreal under the name of "La Banque du Peuple," 7 Vict. c. 66. Passed in 1843: Reserved; and Royal Assent signified 27th June, 1844.
2. Certain persons incorporated by the name of "La Banque du Peuple," with perpetual succession and a common seal, s 1.
3. The persons so incorporated to have the sole management of the affairs of the Bank, and be individually and jointly liable for all obligations and debts contracted by corporation, s 2.
4. But partners *in commendam*, not liable beyond amount of stock for which they have subscribed, and exonerated if that amount be lost in the business of the Bank, s 2.
5. Members of the said Corporation not liable for debt contracted after withdrawal therefrom, and due notice thereof having been given, nor for any debt contracted before his withdrawal unless action or suit be brought within twelve months, s 2.
6. Affairs of the Corporation to be managed by members thereof or so many of them as the majority of the whole may authorize, and Corporation may make by-laws, s 3 & 4.
7. Election of President and Vice President, s 5.
8. Right and regulation of voting at meetings, s 6.
9. Amount of Capital Stock, £200,000, divisible into 16,000 shares of £12 10s. each, s 7.
10. Mode of transferring Stock in the Co-partnership of Viger, DeWitt & Co., to the new Corporation, s 7.
11. Each Member of Corporation to hold 40 shares, s 8.
12. Shares may be held to any extent by British subjects or foreigners, and paid for by instalments at the rate of 10 per cent., s 8.
13. No such instalment, after the first, demandable in less than 30 days after public notice of a call for the same, s 8.
14. One half the amount of Capital to be paid in before the Bank shall commence business, and the residue subscribed for within 24 months after, and the whole amount called in and paid within 4 years from passing of Act, s 8.
15. Shareholders neglecting to pay instalments forfeit to the Corporation a sum of money equal to 10 per cent. on amount of share; and shares of defaulters may be sold by auction, s 9.
16. Corporation at no time to consist of fewer than seven members, nor more than 15, s 10.
17. Expulsion of members, and mode of filling vacancies, s 11, 12, 13.
18. Stock to be personal estate and transmissible accordingly, s 14.
19. Provisions regulating the transfer of shares, and their sale under execution. s 14.

BANKING.

20. Dividends to be made and Books balanced half yearly, and open at stated periods to inspection, s 15, 16 & 17.
21. General Meeting of Shareholders to be held in March of each year, at which statements of the liabilities and resources of the Bank to be exhibited, s 18.
22. Election of a Board of Audit, and nature of Books to be kept for inspection, s 19, 20 & 21.
23. Appointment of Cashier, Officers, Clerks and Servants, and payment of members devoting more than ordinary attention to the affairs of Bank, s 22.
24. Corporation may deal in gold and silver bullion, Bills of Exchange, &c., but not in lands, goods, wares, merchandize or ships, nor advance money on them; but may hold mortgages, &c., as additional security for debts contracted in the course of their dealings, s 23.
25. Bonds and bills made payable to any person transferrable by indorsement; and notes payable to bearer obligatory on Corporation as such would be if issued by private person, s 24.
26. Corporation may pay interest on deposits, and retain discounts on promissory notes, s 25.
27. Total amount of notes under £1, not to exceed one-fifth of amount of Capital Stock paid in, and no notes under 5s. to be issued, s 26.
28. Corporation not dissolved by failure to elect Officers within the time prescribed by this Act, s 27.
29. No member to act as private Banker, but may hold shares in other Banks, s 28.
30. Corporation not to lend money to any Foreign Prince, Power or State, on pain of being dissolved, s 29.
31. Suspension of payment for 60 days consecutively, or at intervals in the course of any twelve months to be a forfeiture of this Act, s 30.
32. Total amount of debts not to exceed three times the amount of paid up stock, and the deposits, and notes payable on demand not to exceed the paid-up capital on pain of forfeiture of this Act, s 31.
33. Any Officer or Servant of Bank embezzling its property, and persons forging its bonds or bills, or uttering the same knowing them to be forged, or engraving plates of its notes, &c., or having such in his possession, to be guilty of felony, punishable by imprisonment at hard labour in Penitentiary for seven years, or two years in any other Gaol, s 32, 33, 34 & 35.

CHURCH SOCIETIES.

34. Justices, upon information, may issue search warrants for forged bills and the implements of forgery, &c., s 36.
35. Corporation to publish in March and September each year, statements of assets and liabilities, and to furnish the Governor in confidence with copies and full information of the affairs of the Bank, s 37.
36. Rights of the Crown saved, s 38.
37. Act to be a public Act and, to endure until the 1st of June, 1862, s 39 & 40.
38. Schedules of forms.
39. To amend the Act incorporating the Bank of the Niagara District by providing for the extension of the time limited for the paying up of the Stock of the said Bank, 7 Vict. c. 67. Passed in 1843: Reserved; and Royal Assent signified 27th June, 1844.
40. Limitations of former Act of 4th & 5th Vict. repealed, and time for subscribing for the whole amount of the Capital Stock extended to two years from the passing of this Act, and for paying up the same to four years from the passing of the Act, s 1.
41. In the event of inability to meet the engagements of the Bank, the Shareholders shall be liable in their private estates to the amount only of their shares, but the Directors to the full amount of the deficiency, s 2.

C.

Church Societies.

1. To incorporate the Church Societies of the United Church of England and Ireland in the Dioceses of Quebec and Toronto, 7 Vict. c. 68. Passed in 1843: Reserved; and Royal Assent signified 27th June, 1844.
2. Certain persons incorporated as "the Church Society of the Diocese of Quebec," and other persons as "the Church Society of the Diocese of Toronto," with power to hold and dispose of moveable and immoveable property, s. 1.
3. Property vested in said Corporations, with the usual rights of ownership, with limitation to the purposes of the Societies, s. 2.

CHURCH SOCIETIES.

4. Meetings may be held, but no act valid unless six persons be present and the majority consenting, s. 3.
5. A constitution, by-laws, rules and regulations may be ordained at such meetings which shall be binding on all Members of the Societies after receiving the written sanction of the Bishop, s. 4 & 5.
6. Rights of Crown saved, and Act to be deemed a Public Act, s. 6 & 7.

Banque du Peuple, See Banking.

Felony, See Banking, 33.

Foreign Prince, Power, or State, See Banking, 30.

Justices, See Banking, 34.

Penitentiary, See Banking, 33.

Private Banker, See Banking, 29.

Quebec Church Society, See Church Societies.

Nagara, Bank of, See Banking, 39.

Search Warrants, See Banking, 34.

Toronto Church Society, See Church Societies.

Viger, De Witt & Co., See Banking, 10.

P.

Parliament.

1. For better securing the Independence of the Legislative Assembly of Canada, 7 Vict. c. 65. Passed in 1843: Reserved; and Royal Assent signified 25th May, 1844.
2. Declared incapable of being elected Members of the Legislative Assembly after the end of the present Parliament, and incompetent to sit or vote therein, the following public Officers:—Judges of Superior Courts; Vice-Chancellor of U. C.; District, Circuit, and other Judges; Bankrupt Commissioners; Surrogates; Recor-

PARLIAMENT.

- ders; Sheriffs; Clerks of Court,—of the Peace,—of the Crown,—of Bankrupt Commissioners; Registrar Vice-Admiralty in L. C.; Master in Chancery of U. C.; Probate Register; Registrar of Deeds; Clerk Heir and Devisee Commissioners; and all Persons engaged in the Collection of the Revenue; Commissioners of Jesuits Estates; Land & Timber Licence Agents; Adjutants General of Militia and their Salaried Clerks; Clerk of Executive Council, and all Salaried Clerks in Public Departments; all Officers of Board of Works, and Contractors with the Government; Postmasters; Quarantine Officers; Medical men receiving public money; Harbour Masters; Trinity House Master, and Salaried Persons employed therein; Queen's Printer and Law Printer; and the Translator of the Laws, s. 1.
3. Exceptions in favor of Assistant Secretaries, Assistant Commissioner of Crown Lands, Assistant Inspector General of Accounts, and of Members of the Executive Council holding the following offices, viz: Receiver General, Inspector General, Secretary of the Province, Commissioner Crown Lands, Attorney General, Advocate General, Solicitor General, Chairman Board of Works, Registrar of Province, Surveyor General, s. 1.
 4. After the passing of this Act, Election of persons thus disqualified null and void, and such persons sitting or voting in Legislative Assembly during the present or any future Parliament, subject to fine of £500 for every day, recoverable by any person suing for the same, s. 2.
 5. The Vice Chancellor, Judges, Clergymen, Priests and Ministers of every religious denomination, Recorders, Officers of Customs and Excise, and others declared incapable of voting at Elections under a penalty of £500, s. 3.
 6. Members of Legislative Assembly accepting from the Crown an office of profit with an annual salary or emoluments in lieu thereof, thereby vacate their seats; but may be re-elected, s. 4.
 7. Section 4 not applicable to officers in Navy or Army, or Provincial Militia receiving new Commissions in the service, excepting only Officers on Staff of Militia receiving permanent salaries, s. 5.
 8. Members may vacate their seats by giving notice in their place in Legislative Assembly, or by written declaration under hand and seal made before two witnesses and addressed to Speaker, s. 6 & 7.

PARLIAMENT,

9. Speaker thereupon to issue his warrant for a new election, s 7.
10. Member so resigning to continue to be the Representative of the place for which he sits until the return of the new writ, s 8.
11. Member cannot so resign until after the expiration of the first 15 days of the Session next after his election, nor, in case his election shall be contested, until after decision of such contest, s 9.
12. If there be no Speaker, or he be absent from the Province, or the Speaker wish so to resign his seat in the Assembly, the declaration may be addressed to any two Members of the Assembly, who shall forthwith give notice to Clerk of the Crown in Chancery, who shall issue a new writ upon receipt of such notice, s 10.
13. If vacancy occur by death, summons to Legislative Council, or acceptance of office, Speaker to issue his warrant to Clerk of the Crown in Chancery for a new writ, upon information of such vacancy given by a Member in his place, or under the hands and seals of two members, s 11.
14. If there be no Speaker when a vacancy occur, or he be absent from the Province, or the vacancy shall be of his own Seat, any two Members may certify the vacancy to Clerk of Crown in Chancery, who shall thereupon issue his writ for a new election, s. 11.
15. Certain Acts repealed s. 12.

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AN
ANALYTICAL INDEX TO THE STATUTES
OF THE
PROVINCE OF CANADA,
VOLUME THE THIRD.

Containing the Acts passed in the Third Session, of the First
Parliament, 7th Victoria, (1843.)

PLAN OF THE INDEX.—A separate Analysis of every Act in this volume will be found in the following Index. The titles are in alphabetical order; and under the several heads are given, concisely, and in numerical succession, the contents of each Section of the particular Statute, or such an indication thereof as will readily lead the inquirer to the object of his search. The numerals on the left hand are arbitrary and correspond with the figures attached to the brief general entries. The right hand numerals correspond with the Sections of each Act.

A.

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Agricultural Produce.

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| <ol style="list-style-type: none"> 1. To impose duties on the importation of Agricultural Produce and Live Stock, 7 Vict. c. 1. 16 Nov. 1843. 2. Duties imposed on the kinds and descriptions set forth in Schedule annexed to Act, s 1. 3. Agricultural Produce and Live Stock imported by Sea for the use of the Fisheries of this Province to be exempt from the said duties; but subject to the provisions of such parts of Act 4 & 5. V. c. 14. as are not repealed by this Act, s 2. 4. Duties payable in Sterling money, s 3. 5. Duties to be recovered according to provisions of Imperial Act cited in s 2. so far as may be consistent with the other provisions of this Act, s 4. 6. Governor in Council may appoint places to be Warehousing Ports for the purposes of this Act, s 5. 7. Neat Cattle and Swine from foreign parts, may be slaughtered, cured and packed in Bond for | <p>home consumption or exportation, on the same conditions in every respect as if the meat had been imported cured and packed, s 5.</p> <ol style="list-style-type: none"> 8. Regulations for the slaughtering, curing, and packing in Bond, s 5. 9. All expenses incurred in carrying the provisions of this section into effect, shall be paid by the importer or owner of the Cattle or Swine imported, s 5. 10. Governor in Council may, on receiving proof thereof, order return of duties on Cattle and Swine imported to fulfil contracts with Her Majesty's Commissariat, if entered into before October 1st, 1843, s 6. 11. Monies arising from duties imposed by this Act, with all fines, penalties and forfeitures to be paid to Receiver General of the Province, s 7. 12. Part of Act 4 & 5. V. c. 14. repealed, s 8. 13. Act to cease to be in force after the fifth day of January, 1844, s 9. 14. To continue for a limited time the duties imposed on the importation of Agricultural Produce and Live Stock, 7 Vict. c. 2. 9th Dec. 1843. 15. Continuation of duties on the importation of Agricultural Produce and Live Stock, as set forth in words and figures in Schedule annexed to this Act, s 1. |
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AGRICULTURAL PRODUCE.

16. Repetition of Sections 2, 3, 4, of Act 7 V. c. 1. s 2, 3, 4.
17. Repetition of Sections 5 & 6, of Act 7 V. c. 1. s 5 & 6.
18. Repetition of Sections 7 & 8, of Act 7 V. c. 1. s 7 & 8.
19. Act to come into operation on the 5th January, 1844, and to cease on the 5th January, 1845, s. 9.

Aliens, Sec Schools, (2) 33.

Anatomy.

1. To regulate and facilitate the Study of Anatomy, 7 Vict. c. 5. 9th Dec. 1843.
2. The bodies of persons found dead and publicly exposed, and of those supported in any public Institution maintained by public funds immediately before their death, shall be delivered to persons duly qualified as hereinafter provided, s 1.
3. Except the persons so dying shall otherwise direct, s 1.
4. Except also the *bonâ fide* friends of the persons so dying claim the bodies within the usual time of interment, and except the persons so dying shall direct any other disposal of their bodies than to such friends, s 1.
5. Public Teachers of Anatomy or Surgery, or private Medical Practitioners who shall have three or more pupils, shall be qualified to receive such bodies, s 2.
6. Any public Medical School in the locality shall have a preferable claim to such bodies, s 2.
7. Governor shall appoint an Inspector of Anatomy for each locality, who shall not be of or connected in any way with the Medical Profession, but one holding some municipal office, s 3.
8. The Inspector of Anatomy shall keep a Register of bodies, and persons receiving them, distribute the bodies and of order interment, s 4.
9. Enumeration required in the Register, and specification of the duties and powers of the Inspector, s 4.
10. The Coroner presiding at the inquest of any unclaimed body, shall give notice thereof to the Inspector of Anatomy, if there be any, and if not, order interment, s 5.
11. Superintendents of Public Institutions receiving Government aid shall give notice of the death of any inmate thereof to the Inspector of Anatomy, if there are no friends to claim the body of the deceased, s 6.
12. Each Superintendent of such Institution shall

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- keep a register of the bodies given up for dissection, and to whom given, s 7.
13. Superintendent shall not give up a body without a written order from the Inspector of Anatomy, s 7.
14. Particulars to be recorded in such Register, s 7.
15. Every Teacher or Medical Practitioner to pay to the Inspector of Anatomy one pound five shillings, currency, for every body delivered to such Teacher for dissection, s 8.
16. Every Medical Practitioner wishing to avail himself of the benefit of this Act, shall give security to the amount of Forty Pounds, for the due performance of the requisitions of this Act, s 9.
17. Upon fulfilment of the conditions of this section, the Inspector of Anatomy to give every Medical Practitioner authority to open a dissecting room, s 9.

Appeals, See Processions, 10; Ordnance, 25; Court of Judicature, 118; Trust and Loan Company, 50.

Arms, See Processions, 3; Public Meetings, 23.

Army, See Census, 7.

Arrest for Debt, See Imprisonment.

Assault, See Timber, 39.

Attachment, See Sheriffs, 2.

Attorney, See Imprisonment, 3.

B.

Bankrupt.

1. To repeal an Ordinance of Lower Canada concerning Bankrupts, and make provision for the same object throughout the Province of Canada, 7 Vict. c. 10. 9th Dec. 1843.
2. Description of persons liable as Traders to Bankrupt Laws and of those who are not, s 1.
3. Acts of Bankruptcy: arrest on *mesne* process and not giving bail; absconding from arrest; imprisonment for debt for 30 days, or escaping from imprisonment; having goods or estate attached for debt and not superseding the same within 20 days; departing Province or remaining concealed to de-

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- fraud Creditors; fraudulent conveyance of lands or goods, &c.; fraudulent procuring self to be arrested, or goods to be attached, &c., removing or concealing goods to avoid process of law, (*vide* § 5, 7, 9, 13, 14, 15,) s 2.
4. Trader, upon affidavit of Cr. (as in Schedule A.) may be summoned before Judge or Commissioner, s 3.
5. Trader in answer to Summons to state whether he admits Creditor's demand, s 4.
6. Trader not appearing to Summons, or not admitting the demand, having no answer to make to it, or not paying, compounding, or giving security, to be deemed to have committed an Act of Bankruptcy after specified time, s 5.
7. Refusal to sign admission of demand, to be deemed a refusal to admit demand, s 6.
8. Trader signing admission of demand or of part thereof and not discharging or securing payment within twenty-one days, to be deemed to have committed an act of Bankruptcy after a specified time, s 7 & 8.
9. Part of demand admitted the amount shall be ascertained by arbitration. Trader not conforming to award, to be deemed to have committed an act of Bankruptcy, s 9.
10. Proceedings as to admission of demand signed elsewhere than before a Judge or Commissioner, s 10.
11. Costs payable to Trader on dismissal of Summons and in what other cases, s 11 & 12.
12. Other circumstances under which Acts of Bankruptcy are to be deemed to have been committed, viz: not satisfying judgment within 21 days, disobeying Order of Court to pay money, voluntary declaration of Insolvency, s 13, 14, 15.
13. No Commission to issue for Acts past beyond four months, s 16.
14. Commission arising from concert or agreement not invalid, s 17.
15. Publication of Notice of Bankruptcy in the Canada Gazette, to be evidence in cases relating to such Bankruptcy, s 18.
16. Transfers, &c., made with the knowledge or in contemplation of an act of Bankruptcy to be void and fraudulent, with certain qualifications, s 19.
17. Who may be or act as Commissioner under this Act, s 20.
18. Amount of Debt of Creditors petitioning, and who may petition for Commission of Bankruptcy, s 21.
19. Proceedings on issuing Commission, s 22.
20. First meeting of Creditors, time and place appointed, s 23.

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21. Sheriff to give notice of such Meeting. Sheriff's further duties thereon, s 24.
22. Sheriff to take possession of Bankrupt's Estate fully and entirely, the duty of Bankrupt thereon, s 25.
- 23.—Proceedings for proving Debts and appointment of Assignees, s 26.
24. What Creditors may vote at Meeting of Creditors, and how qualified, s 27.
25. The Judge or Commissioner may scrutinize Creditor's claim, who may appeal to the Court of Review, s 28.
26. Creditors failing to appoint Assignees, Judge or Commissioner may do so, s 29.
27. Assignees appointed, to signify their acceptance of the office within six days, or appointment to be void, s 29.
28. Judge or Commissioner then to appoint other Assignees and so on till acceptance of the office is duly signified, s 29.
29. Assignees accepting, to be appointed by an instrument executed in duplicate by the Judge or Commissioner, such document to be *prima facie* evidence of the truth of its contents, s 30.
30. By such Instrument the Estate of the Bankrupt shall be vested in the Assignees, s 31.
31. By which all attachments and *mesne* process on the property of the Bankrupt shall be dissolved, s 31.
32. Further obligation of Bankrupt, duties of Assignees as to suits pending, on change of Assignees, death of Bankrupt and allowance due to him, s 31.
33. Further duties of Assignees, as to collecting debts, selling property, keeping accounts, paying disbursements, referring disputes to arbitration and relating to the election of new Assignees on death or removal, s 32.
34. Directions for the sale of Real Estate of Bankrupt, s 33.
35. How claims on Real Estate of Bankrupt are to be determined and titles upon sale thereof rendered valid, s 34.
36. What debts owing but not yet due by the Bankrupt may be proved, s 35.
37. Cases of Mutual Credit, and of Creditors holding security and wife's claims, how determined, s 35.
38. Judge or Commissioner may enforce attendance of Witnesses in cases affecting the Bankruptcy, s 36.
39. *Bona fide* Conveyances, and Executions and dealings, prior to date of Commission to be valid if made without notice of bankruptcy, s 37 & 38.

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40. As to Goods in Transitu, and in similar circumstances, s 39.
41. Judge or Commissioner to appoint second Meeting of Creditors, the proceedings thereat, s 40.
42. Creditors may compound with Bankrupt, and Commission may be superseded after 2d General Meeting, s 41.
43. Judge or Commissioner may appoint or remove Clerk to the Commissioners; Clerk's duty, his papers to be evidence, *prima facie*, s 42.
44. Judge or Commissioner to preside at and may adjourn Meetings, s 43.
45. Proceedings of adjourned Meeting to be of the same effect as the original Meeting, s 43.
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47. Proceedings in the case of premature suits commenced by the Assignees, s 45.
48. Wages of Servants, Clerks, &c., to the extent of twelve months' Wages to be paid out of the Estate; the excess to be proved as a debt, s 46.
49. Wages of Workmen to be paid out of the Estate, to the extent of one month's Wages; any sum in addition to be proved as a debt, s 47.
50. Distress for Rent not available for more than twelve months' rent, due prior to date of Commission, any additional claim to be proved as a debt, s 48.
51. Proceedings in searching for concealed Property of Bankrupts, s 49.
52. In cases of Partnership, Commissioners may authorize Assignees to join with their own the names of other partners of Bankrupt in suits against Debtors of the firm, s 50.
53. Release executed by Partners of Bankrupts to Defendants in such suits to be void, s 50.
54. Partners to be indemnified, in such cases, against costs, &c., s 50.
55. When Bankrupts shall appear before Commissioners; neglecting to appear, concealing Property or Books, or withholding information, to be deemed a felony; how punishable, s 51.
56. Commissioner may extend time for Bankrupt's appearance, s 52.
57. Proceedings when Bankrupt is in Prison, or sick, or has left the Province, s 53.
58. Punishment of Bankrupt for fraudulently altering Books, Writings, Securities, &c., s 54.
59. And for fraudulently obtaining credit within three months of Bankruptcy, s 55.
60. And for false swearing or affirmation, s 56.
61. Judges and Commissioners to assist each other

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- in each case with equal powers, subject to the permission of the one that issued the Commission, s 57.
62. Proceedings when Partners are Bankrupts residing in different Districts, s 58.
63. Conditions of obtaining a Certificate of Discharge, and the effect of it, s 59.
64. Causes for withholding Certificate of Discharge, and what shall render it void, if granted, s 60.
65. Proceedings at the Meeting for allowing Certificate, Creditors' opposition, necessity of confirmation by Court of Review, and further conditions of the Certificate's efficiency, s 61.
66. Contracts to Creditor of Bankrupt for his forbearance, void, s 62.
67. Parties in such Contracts or Collusions liable to penalty of treble amount paid or secured, s 63.
68. Effect of Certificate, on Bankrupt being sued or taken in execution for debt proveable under his Commission, s 64.
69. Bankrupt not bound by Verbal Contract to pay Debts from which his Certificate discharges him, but bound by Written Contract, s 65.
70. When Assignees shall call a Meeting of Creditors for declaration of Dividend, and proceedings at Meeting; Priority of Crown, and privileged Debts, s 66.
71. Time of ordering second and final Dividend which is not to disturb former Dividends, s 67.
72. Courts of Review constituted; their powers; their decisions final, s 68.
73. Before whom Affidavits may be sworn, and manner of taking evidence, s 69 & 70.
74. Allowance of Costs and how recovered, s 71.
75. All proceedings in Commissions to be transmitted to the Court of Review, and filed of Record, s 72.
76. Ordinance L. C. 2 V. (3) c. 36, repealed from commencement of this Act, but not invalidating proceedings previous to this Act, s 73.
77. Former Certificates of discharge under said Ordinance to be valid throughout the Province, s 74.
78. In cases not otherwise provided for, the Laws of Upper and Lower Canada to be resorted to, when these fail the Laws of England to be resorted to, but in cases concerning Upper Canada only, s 75.
79. Allowance to Bankrupts in proportion to amount of Dividend, s 76.
80. Partners becoming Bankrupts entitled to allowances in proportion to the amount of Dividend of their separate Estate, s 77.
81. Bankrupt's allowance for his attendance on

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business of the Commission, and for the maintenance of his Family, s 78.

82. Every Trader to register his Contract of Marriage ; proceedings thereon as affecting Bankrupt's Certificate, s 79.
83. Compensation to Assignees, s 80.
84. Fees and allowances to be paid to Judges, Commissioners, Officers, and Witnesses, s 81, 82, 83.
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86. Interpretation Clause, s 85.
87. Act to continue in force for two years, and thence to end of next Session of Parliament, s 86.
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89. Schedule A. No. 2, Particulars of demand and notice requiring payment, *vide* s 3.
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92. No. 2, Deposition by Trader Debtor of belief of good answer to Creditors' demand, or some part thereof, *vide* s 4.
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1. To authorize the several Banks therein mentioned to open Books for the transfer of a certain portion of their Stock in the City of London, 7 Vict. c. 62. Dec. 9th, 1843.
 2. Such Stock to be termed "English Stock," and transferable in London, s 1.
 3. Dividends may be payable in London, s 1.
 4. Parts of Charters repugnant to this Act, repealed, s 2.
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Bishop's College.

1. To Incorporate "Bishop's College," in the Diocese of Quebec, 7 Vict. c. 49. 9th Dec. 1843.
2. Bishop's College Incorporated ; who compose it ; its powers, s 1 & 2.
3. Application of its revenues, s 3.
4. Public Act, s 4.
5. Rights of the Crown saved, s 5.

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C.

Caldwell, the late Hon. Sir John.

1. For securing the Province against any unnecessary loss on the judicial sale of certain parts of the vacant estate of the late Honorable Sir John Caldwell, 7 Vict. c. 26. 16th Nov., 1843.
2. Recital of judgment against the Estate hereinbefore mentioned, s 1.
3. Of the said Estate, the Seignior of Lauzon to be sold, after twelve months notice, s 1.
4. Notice of sale to be published in the English and French languages twelve times during the aforesaid twelve months as herein directed, s 2.
5. Antoine Archange Parent to be representative of the Estate, and the sale to take place and be valid though his decease should take place, s. 3
6. Governor may appoint a Commissioner to purchase the said Estate in Her Majesty's name. s 4.
7. Commissioner being the highest bidder at such sale, the Sheriff shall adjudge the said property to be purchased in the name of Her Majesty, for the public uses of the Province, s 5.
8. If any other person be the highest bidder at such sale, he shall then pay to the Sheriff one thousand pounds currency, which shall be forfeited if the sale is not consummated by such bidder, s 6.

9. Proceedings to be adopted in the case of a second sale, s 7.
10. On the adjudication of the said property to Her Majesty, the Court shall determine the several claims upon it, and order payment accordingly, s 8.
11. Sheriff to be allowed in lieu of Commission, twenty-five pounds currency, exclusive of his disbursements, if the purchase be made for Her Majesty, and one hundred pounds if purchased by any other person, s 9.
12. Nothing in this Act to extend to any other Property than the Fief and Seigniorie aforesaid, s 10.
13. Public monies had under this Act to be accounted for to Her Majesty, and the accounts thereof laid before the Legislative Assembly, within fifteen days after the opening of the then next Session thereof, s 11.
14. Interpretation Clause, s 12.

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1. To authorize the Chairman of the Committee of the Canada Inland Forwarding and Insurance Company to sue for and recover debts due to the Company, 7 Vict. c. 59. 9th Dec. 1843.
2. The Hon. Adam Ferrie authorized to sue and be sued on behalf of the said Company, s 1.
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1. To amend the Charter of the Cataragui Bridge Company, 7 Vict. c. 60. Dec. 9th, 1843.
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3. Advertising notices of meetings. s 2.
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Census.

1. For taking the Census of the Inhabitants of Lower Canada, and for obtaining certain Statistical information therein mentioned, 7 Vict. c. 24. 9th Dec., 1843.
2. Governor to appoint one or more Commissioners for the execution of this Act, s 1.

3. Provincial Secretary to furnish the Commissioners with copies of this Act, and of the Schedule A. thereto annexed, s 2.
4. Before the 1st day of May 1844, the Commissioners shall make or cause to be made an exact Census of the population in Lower Canada, and fill up Returns with the requisite information agreeably to form of Schedule A. s 2.
5. Such returns to be certified on oath, s 2.
6. Commissioners may appoint any competent person to assist in each place for which the Census is taken, s 3.
7. It shall be lawful for such assistants to visit every house for the purpose of filling up the returns, and require the necessary information of all persons, those only in actual service in the Army or Navy excepted, s 3.
8. Persons refusing to give the information required, or wilfully giving false information, being above the age of twenty-one years, to be liable to a fine of two pounds ten shillings currency for every such offence, s 4.
9. Fine recoverable by Distress; one half thereof to be paid to Her Majesty and the other to the person suing for the same, s 4.
10. Every Assistant shall make the required return in the form of Schedule A., within fifty days after the date of his appointment, s 5.
11. The Provincial Secretary shall transmit copies of all returns to certain official persons in each County as directed herein, s 6.
12. Such copies to be kept by the persons to whom they are sent, and be accessible for the use of all persons concerned, s 6.
13. The Commissioner shall transmit returns in triplicate to the Governor on or before the first day of June 1844, s 7.
14. One copy of each return to be laid before each branch of the Legislature within fifteen days after the opening of the then next Session, s 7.
15. Amount and mode of payment to Commissioners and Assistants, s 8.
16. Persons appointed to make returns, neglecting or making a false return, liable upon conviction to a Penalty not exceeding twenty-five pounds currency and to imprisonment not exceeding three Calendar months, s 9.
17. Commissioners shall publish notice in the French and English languages, fifteen days before proceeding to take the Census, agreeably to directions herein given, s 10.
18. Monies appropriated by this Act to be accounted for to Her Majesty, &c., and accounts thereof

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19. Interpretation Clause, s 12.

Schedule A.

Schedules B. & C.

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Certiorari, *Writ of*, See Police 5.

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Chatham, Gore.

1. To detach the Township of Chatham Gore otherwise called the Gore of Chatham, from the County of Terrebonne, and to annex it to the County of the Two Mountains, 7 Vict. c. 28. 9th Dec., 1843.
2. Enactment in conformance with title, s 1.

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1. To enable Courts of Law in Upper Canada to give relief against adverse claims, made upon persons having no interest in such claims, 7 Vict. c. 30. 9th Dec., 1843.
2. A defendant being sued who has no interest in the suit, Judge may order a third party really interested to contest the same, s 1.
3. Judgment of Court, final against all parties, s 2.
4. Third party, if contumacious, for ever barred from prosecuting claim against original defendant, s 3.
5. Orders by a single Judge out of Court may be set aside, s 4.
6. Judge applied to may refer the matter to the Court, s 5.
7. Court may give relief to Sheriffs and others seizing goods of Defendant under process of Court to which third parties lay claim, s 6.
8. Rules, &c. under this Act, to be entered of record, and have the effect of a judgment; proceeding respecting judgments, costs, &c. s 7.

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——— *of the Peace*, &c., See Ottawa District, 3.

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COUNCIL.

Commissioners, See Census 2 & *Seq.* Caldwell 6.

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1. To afford to persons having been Boundary Line Commissioners a more easy and less expensive mode of recovering costs still due on judgments rendered in that capacity, 7 Vict. c. 35. 9th Dec. 1843.
2. How such persons are to proceed to recover their claims, and proceedings of the Court in execution, s 1.
3. Plea of parties owing, &c. s 2.
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Congrégation de Québec.

1. To incorporate the association called "La Congrégation de Notre Dame de Québec." 7 Vict. c. 51. 9th Dec., 1843.
2. Certain persons incorporated; their corporate Name and Powers, s 1.
3. Property of former Association vested in the Corporation who are liable for all claims upon it, s 2.
4. By-Laws of former Association to bind the Corporation, until altered, s 3.
5. Members not liable personally for claims on the Corporation, s 4.
6. Rights of the Crown &c., saved, s 5.
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Contracts Void, See Bankrupt, 66, 67.

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Cornwall, Township of,

1. For better defining and establishing the Eastern Boundary Line of the third Concession of the Township of Cornwall in the Eastern District, 7 Vict. c. 42.
2. The said Boundary Line defined in Act, s 1.

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D.

Dames Religieuses.

1. To Incorporate "Les Dames Religieuses du Sacré Cœur de Jésus," of the Parish of St. Jacques de L'Achigan, in the District of Montreal, for the purposes of Education, 7 Vict. c. 54. 9th Dec. 1843.
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3. Application of Revenues, s 2.
4. Property of the former Association vested in the Corporation, and its by-laws adopted, s 3.
5. Corporation may appoint Attornies, Officers, &c. s 4.
6. Members not personally liable for debts of the Corporation, s 5.
7. Rights of the Crown &c., saved, s 6.
8. Public Act, s 7.

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Debt, See Imprisonment,

Deer and other Game.

1. To prohibit the hunting and killing of Deer and other Game, at certain seasons of the year, 7 Vict. c. 12.
2. Act 2 V. c. 12. U. C. repealed, s 1.
3. Killing or taking any Deer, Moose, Elk or Fawn, between 1st February and 1st August, or having in possession such, or Wild Turkeys, Prairie Hens, Grouse, &c., between 1st February and 1st September; or Woodcock, between 1st February and 15th July; or setting Trap for Wild Turkey at any time, finable by Justice of Peace, on conviction, from 10s. to £10, s 2 & 3.
4. Proceedings against accused by Summons, s 4.
5. Form of Conviction, s 5.
6. Conviction, &c., not void for want of form, s 6.
7. Fine leviable by distress, and party may be imprisoned if fine be not satisfied thereby, s 7.
8. Prosecution to be within three months; Informer not to be a witness, s 8.
9. Appeal to Quarter Sessions; Formalities observable thereon, s 9.
10. Conviction to be transmitted to Quarter Sessions and kept of record, s 10.
11. Actions for things done in pursuance of this

Act, to be brought within three months; formalities to be observable thereon, s 11.

12. One moiety of fines to Informer, the other to District Treasurer, s 12.
13. Indians exempted from operation of this Act, but no person to take or buy from them Game killed out of season, s 13.
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District Schools, See Schools, (2) 36.

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E.

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1. To Incorporate the Education Society of the District of Quebec, 7 Vict. c. 50. 9th Dec. 1843.
2. Certain persons Incorporated; their corporate name, powers, property, and by-laws, s 1.
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4. Property of former Association vested in Corporation, who are liable for its debts, s 4.
5. Minors not to be Members, s 5.
6. Consent of two-thirds of Members required to alteration of by-laws, s 6.
7. Members of Corporation not personally liable for its debts, s 7.
8. Rights of the Crown, &c., saved, s 8.
9. Public Act, s 9.

Education, See Dames Religieuses; Schools.

Essex, County of, See Fish, 2.

Exercises Religious, See Schools, (2) 51.

F.

Farming, See Tolls, 4.

Felony, See Bankrupt, 55, 58.

Female, See Imprisonment, 5.

Fisheries, See Agricultural Produce, 3.

FISH.

Fish.

1. For the better preservation of certain species of Fish in the Rivers and waters of the Counties therein mentioned, 7 Vict. c. 13.
2. Time, at which Lunge or Maskinongé and Salmon Trout, or other small Fish, shall not be taken except with a single hook, from 1st August to 1st December: Places, the Lakes, Rivers or Streams in the Counties of Stanstead, Sherbrooke, Shefford, Missisquoi, Drummond, Essex, and Kent, s 1.
3. No Fish-pounds to be made in the River St. Francis, or in any of its tributary Rivers and Streams, so as to obstruct the main Channels in any way, for the purpose of taking Salmon, or Salmon Trout, or other small Fish, s 2.
4. Penalty, on conviction, not more than Two Pounds, currency; one moiety to Her Majesty, the other to Prosecutor, leviable by distress; and offender may be imprisoned if his goods cannot be found, s 3.

Free Schools, See *Schools*, (2) 49.

Forgery, See *Judicature*, 164, 167.

G.

Game, See *Deer*.

Gaming, See *Bankrupt*, 64.

Gaspé Fishery and Coal Mining Company.

1. To Incorporate Charles Cunningham, Richard Norman, Samuel Amory, and others, forming a Joint Stock Company for carrying on the Fishery in the Gaspé District and Gulf of St. Lawrence, and Coal Mining in the said District, 7 Vict. c. 45. 9th Dec. 1843.
2. The aforesaid persons, and others, Incorporated under the name of "The Gaspé Fishery and Coal Mining Company," s 1.
3. Powers of the Company, with limitations, s 2 & 3.
4. Shares to be deemed personal Estate, s 4.
5. Subscribers of £100, Sterling, to be Stockholders and entitled to share of Profits, s 5.
6. Company to enter in books names of Shareholders, s 6.
7. Company may recover, by suit, amount of Stock subscribed for, and which may be paid by instalments, s 7.

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8. Of joint owners of Shares, the person whose name is first registered shall vote, s 8.
 9. Mode of transferring Stock, s 9.
 10. Directors to have power to make calls; proceedings thereon, s 10.
 11. Shares, forfeited by neglect to pay calls, and sale of such Shares, s 11.
 12. Officers of Company how appointed, s 12.
 13. Meetings of Shareholders, how and when called, and qualifications for votes, s 13.
 14. Qualification of Chief Officers, and how vacancies are to be filled up, s 14.
 15. Salaries to Officers to be fixed at a General Meeting, s 15.
 16. Proceedings at Special and General Meeting, s 16.
 17. By-Laws made at General Meeting, s 17.
 18. Chairman of Board of Directors to preside at General Meeting, s 18.
 19. What constitutes the Capital Stock,—not liable beyond amount of Shares, s 19.
 20. Additional Stock may be raised, and rights of Subscribers thereto, s 20.
 21. Directions as to Meetings of Directors, and their powers, s 21.
 22. Efficiency of Act to depend on obtaining a Royal Charter, s 22.
 23. Company to have Offices in Quebec and Gaspé, s 23.
 24. Where process may be served on the Company, s 24.
 25. Company not to go into operation till one-half the Capital Stock of £150,000 be paid up, and proclamation thereof, s 25.
 26. Company to lay annually before the Legislature Statement of their Accounts, certified on oath; false accounts punishable as perjury, s 26.
 27. Company not to act as Bankers, s 27.
 28. Public Act, s 28.
 29. Rights of the Crown saved, &c. s 29.
 30. Act to continue to 1873, s 30.
- Appendix.

Gosselin Alexis, &c.

1. To renew and continue for a certain time the privileges granted by a certain Act of Lower Canada, therein mentioned, to Alexis Gosselin, and his heirs and assigns, with regard to a certain Bridge over the River Boyer, in the County of Bellechasse, 7 Vict. c. 56. 9th Dec. 1843.
2. The said Privileges renewed for 20 years to Marie Elizabeth Gosselin, her heirs and assigns, s 1.

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3. Her Majesty may assume possession, on paying value, before the expiration of the said term, s 2.
4. Rate of Tolls altered, s 3.
5. Public Act, s 4.

H.

Harrison, S. B.

1. To authorize the Court of Queen's Bench and the High Court of Chancery, at their discretion to admit, Samuel Bealey Harrison, to practise as an Attorney and Solicitor thereof respectively. 7 Vict. c. 58. 9th Dec. 1843.

Hawkesbury, See Ottawa District, 5.

Hypothecations, See Registration, 21.

I.

Imprisonment for Debt,

1. To abolish Imprisonment in execution for Debt, and for other purposes therein mentioned, 7 Vict. c. 31. 9th Dec. 1843.
2. Cases wherein arrest for Debt is not lawful, and exception; execution for Debt abolished, s 1.
3. Attorney administering Affidavits of Debt shall not act as Attorney of the Plaintiff, s 2.
4. Formalities of Affidavits for Debt, s 3.
5. No Female to be arrested or held to bail for debt, s 4.
6. Conditions of recognizance of bail, s 5.
7. For Fraud or misconduct, the Court may commit Defendant to Gaol, for a period not exceeding one year: Commitment not to operate as a discharge of Judgment, s 6.
8. Persons committed, applying for discharge, may be interrogated, s 7.
9. Nature and results of examination, s 8.
10. Arrest for Costs of Suit abolished; some form of distress in lieu thereof, s 9.
11. Act to apply to Upper Canada only, s 10.

Indemnity, See Schools, (1) 5.

Indians, See Deer, &c., 13.

Isle Bizarre.

1. To detach Isle Bizarre from the Registration District of the Lake of the Two Mountains, and to annex it to the Island and County of Montreal,

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for the purposes of registration, 7 Vict. c. 23. 9th Dec. 1843.

2. From the first of January, 1844, the Isle Bizarre to be detached and annexed as herein stated, for all the purposes enacted in Ordinance of Lower Canada, 9 G. 4. c. 73. s 1.

J.

Johnstown District.

1. To declare a debt contracted by the Committee of Magistrates of the Johnstown District, to enable them to complete the new Gaol and Court House of said District, to be a debt payable by the District Council, 7 Vict. c 41. 9th Dec. 1843.
2. The aforesaid Debt to be assumed by the District Council of said District, as defined and limited in Act, s 1.

Judicature.

(Under this head are five Acts, viz: Caps. 16, 17, 18, 19 & 20.)

1. To repeal certain Acts and Ordinances, and make better provision for the administration of Justice in Lower Canada, 7 Vict. c. 16. 9th Dec. 1843.
2. 4 & 5 V. c. 20 repealed, except those parts which repeal former enactments or abolish Courts, &c., s 1.
3. Courts of King's Bench in Lower Canada to be called Courts of Queen's Bench, when the Sovereign is a Queen, and the words "Queen's Bench" to be understood as meaning King's Bench or Queen's Bench, as the case may require, s 2.
4. Judges of the same Court of Queen's Bench equal in powers, duties, and authority, s 3.
5. Provincial Judge for District of St. Francis to be one of the Justices of the Court of Queen's Bench; but his salary not affected by this Act, s 3.
6. Commissioners of Bankrupts for Districts of Three Rivers and St. Francis, to be Barristers of five years standing, and during term, and three days before and after, to have the same powers as Assistant Judges of the Court of Queen's Bench in such Districts during absence of Provincial Judges thereof, s 3.
7. Vacancy in the office of Chief Justice of Lower Canada may be filled up by a person who shall be member of the Court of Queen's Bench for the District of Quebec or of Montreal, s 4.

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8. In the latter case a Chief Justice shall be appointed for the District of Quebec to be a member of the Court of Queen's Bench for that District, s 4.
9. The person appointed a Justice of any of the Courts of Queen's Bench in Lower Canada shall be an Advocate of ten years standing ; a Circuit Judge, an Advocate of five years standing, s 5.
10. No Justice or Circuit Judge shall sit or vote in the Executive or Legislative Councils or in the Legislative Assembly, s 5.
11. Advocates of five years standing may be appointed Assistant Judges *ad interim* in lieu of Chief Justice when suspended, or his office vacant from other cause, s 6.
12. Judgment from which appeals may lie shall contain a statement of the points of fact and law, the reasons for the judgment, and the names of the Justices concurring or dissenting, s 7.
13. The Courts of Queen's Bench for the District of St. Francis, which shall be a distinct District from those of Montreal and Three Rivers, shall each have cognizance within their respective Districts, of all cases Criminal and Civil, except as to those occurring previous to this Act, s 8.
14. Part of Act of L. C. 34 G. 3. c. 6. repealed, s 9.
15. Times specified for holding terms of Courts of Queen's Bench ; days of sitting, and return days, s 9.
16. Writs of Process issued before, and returnable after this Act shall be in force, to be returnable on the juridical day after the day in which such writ or process is returnable, s 10.
17. Jurisdiction of Courts of Queen's Bench in Superior Term, s 11.
18. Justices shall assign accommodation in the Court House for taking *Enquêtes* in term and in vacation in causes cognizable in Superior Term, and shall fix the number of clerks or writers to be employed therein, s 12.
19. Justices shall try Jury causes in vacation, on such days as during term they shall have appointed, s 13.
20. If owing to any Justice or Justices being rendered incompetent the Court shall be left without a quorum, the Governor on receiving report of the same shall appoint one or more Justices *ad hoc* who shall have the same authority as those whose places they occupy, s 14.
21. When the four Justices for the District of Quebec or Montreal shall be equally divided in a cause, the Governor on receiving report of same shall appoint a Justice *ad hoc* from one of the other Courts to aid in determining such cause, who shall have with regard to such cause only, the same authority as any other Justice of the said Court, s 15.
22. Defendant not appearing on the day fixed for return of writ, default shall be recorded ; and not be taken off without express permission of the Court, s 16.
23. Delay allowed between service and return of writ shall be ten days exclusive of day of service and day of return, allowing five leagues from the place of service to the seat of the Court ; and one day additional for every five leagues, s 16.
24. Certain writs of summons within District to be directed to Bailiffs,—those without the District and others, to Sheriffs, s 17.
25. In the first case copies to be certified by the Clerk of the Court or the Attorney of the Party suing, s 17.
26. Writs or Process to be in the English and French languages, s 18.
27. Time and place specified when and where Inferior Terms are to be holden, s 19.
28. Courts of Q. B. in Inferior Term, to have summary jurisdiction in all suits (excepting Admiralty) to the amount of £20, excepting where *capias ad respondendum* shall be sued out ; and not exceeding £6 5s., to be determined by equity and good conscience ; but Defendant may evoke in suits involving questions of title to lands and other questions ; Prescribed course of proceedings on evocation, s 20.
29. Plaintiff may evoke where Defendant's plea raises question of title to land, &c., s 21.
30. Courts of Q. B. in Inferior Term to have concurrent jurisdiction with Circuit Courts in same District ; Plaintiff's costs same as in Circuit Court, s 22.
31. When a writ of *capias ad respondendum* shall be taken out, or where a trial by Jury may be had, and Plaintiff declares his choice of such trial, such cases cognizable in Superior Term, though the amount be under twenty pounds, s 23.
32. Plaintiff making such choice, binds all parties to proceed in the case, s 23.
33. But the Judge shall have discretionary power as to costs where suit shall have been vexatiously removed, s 23,
34. Cases cognizable in Inferior Term when the Judges of the respective Courts are parties, shall be cognizable in those Courts in Superior Term,

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- but determined according to the practice and costs in Inferior Term, s 23.
35. The word "Sterling" when used in this Act to imply that each pound sterling shall be held equal to one pound four shillings and four pence, currency, s 24.
36. Circuit Judges to be appointed,—for District of Quebec not more than three, for District of Montreal not more than four. Their powers, s 25.
37. No Circuit Judge to act as an Attorney, &c., s 25.
38. Part of 2 Vic. (1) c. 2, and 2 Vic. (3) c. 36, s 26, relating to Commissioners of Bankrupts and Justices of the Peace, repealed, s 26.
39. Salary of Circuit Judges and disposal of fees, s 27.
40. By whom Circuit Courts are to be holden, and when; their jurisdiction, and as to evocation, s 28.
41. Minors may sue for wages, for sums not exceeding £6 5s., s 29.
42. Times and places appointed for holding Courts, and Circuit Boundaries, s 30.
43. Mode of commencing suits, and delay between service and return of Summons,—Summons by whom served, s 31.
44. When there are more defendants than one, if the Circuit Court has legal jurisdiction over one, it shall have jurisdiction over the whole, s 32.
45. Circuit Courts may require a new and more special declaration, s 33.
46. Default on return of Summons by either Plaintiff or Defendant, not taken off without express permission of the Court, s 34.
47. Witnesses to be examined *viva voce* and notes of material parts of depositions to be taken, s 35.
48. Circuit Judge may remove a cause to Inferior Term of Court of Queen's Bench, and must if all parties require, s 36.
49. Proceedings as to certain writs and affidavits, and to whom such writs are to be addressed, and when returnable, s 37.
50. Powers of Courts of Queen's Bench and of Justices thereof, vested in Circuit Courts and Judges, so far as is not repugnant to this Act, s 38.
51. From what distance witnesses may be summoned, and proviso, as to necessary affidavits by commission, s 39.
52. Court of Queen's Bench to make rules of practice, s 40.
53. Style of writs issuing from Inferior Term of Circuit Courts, and how tested, s 41.
54. Case of recusation or disqualification of Justices, s 42.
55. Appeals allowed to Queen's Bench, in certain cases, and proceedings therein, s 43, 44, 45, 46.
56. Execution of Judgments in Circuit Courts, s 47.
57. Proceedings in execution of Judgments, as to issue of *alias* writs, writs *de bonis* or *de terris*, and hypothecary actions, 48–49.
58. Courts of Queen's Bench in Inferior Term, and Circuit Courts may order debts to be levied by instalments, s 50.
59. Taxation of Costs in Superior Term in Circuit Courts, s 51.
60. Opposition on writs *de bonis*, s 52.
61. Certain powers of Circuit Courts in matters requiring despatch, and their powers concurrent in said matters with Justices of Court of Queen's Bench, s 53.
62. Proceedings where defendant cannot be found in the District, s 54.
63. Proceedings on claims for rent when goods and chattels are taken in execution, by virtue of writs issuing from Court of Queen's Bench, or Circuit Courts, s 55.
64. Trials by jury, in certain cases ordered before Circuit Courts, Judge of Court of Queen's Bench ordering the same, may preside at such trials, s 56.
65. Schedule of Fees in Inferior Term in Circuit Courts, penalty for taking higher fees and public exhibition of schedule, s 57, 58.
66. Governor to appoint Clerks of Circuit Courts, who may appoint and remove a deputy, neither of whom to practice as Attorneys, &c., s 59, 60.
67. Amount of security to be given by Clerks of Court of Queen's Bench, and of Circuit Courts and when to be given, s 61.
68. Appointment of Bailiffs, their powers, Bailiffs not witnesses in the matters in which they are employed, to give security—renewal of security, and punishment for misconduct, s 62, 63, 64.
69. Transmission of Records, &c. from Courts, hereby abolished, s 65.
70. Validity of acts of Courts hereby abolished, and transference of suits pending therein, return of process, and continuance of said suits in other Courts, 66, 67.
71. Punishment of Clerks, &c. of former Courts for not transmitting Returns, &c. s 68.
72. Certain Laws repealed and so much of any others as may be repugnant to this Act, s 69.
73. Interpretations, s 70.

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74. Act to commence April 21st, 1844. Schedules referred to in Act, s 74.
75. To establish the District of Gaspé and to provide for the due administration of justice therein, 7 Vict. c. 17.
76. So much of Act of L. C. 34 G. 3. c. 6, as constitutes the Inferior District of Gaspé or provides for the establishment of a Provincial Court therein, hereby repealed, s 1.
77. District of Gaspé constituted a distinct District, s 2.
78. Two District Judges to be appointed,—Advocates of five years standing, s 3.
79. District Judges not to sit or vote in the Legislative Council, or Assembly of the Province, while holding the office of District Judge, s 3.
80. One District Judge to reside at Percé, County of Gaspé; the other at New Carlisle, County of Bonaventure, s 3.
81. Circuit Courts established in the District, and by whom to be holden, s 4.
82. District Judges mutually to assist each other, s 4.
83. The Circuit Courts and Judges to have the same powers as in other Districts, except as hereinafter excepted, s 5.
84. Direction for testing writs and process, of appeal and evocation, s 6 & 7.
85. Powers of Bailiffs, their appointment, removal, and security, s 8.
86. Bailiffs of Provincial Court hereby abolished to act as Bailiffs of Circuit Court for six months after commencement of Act, s 8.
87. Powers of Circuit Courts as to Bailiffs and other officers, s 9.
88. Bailiffs to be appointed in each Township, and how process to be served, s 10.
89. When and where Courts shall be holden, limits and local jurisdiction of each, s 11.
90. Sittings of Circuit Courts and return days, s 11.
91. A person carrying on business in more than one of the Circuits may be sued where he resides, s 11.
92. Transmission of Records, &c., from Courts abolished to Circuit Courts, s 12.
93. Suits pending in Courts abolished to be continued in the Circuit Courts, s 13.
94. Court of Queen's Bench in the District of Gaspé established, its constitution and proceedings as to writs, &c., s 14.
95. Court of Queen's Bench to have the same powers as the Court of Queen's Bench in other Districts, except as is hereinafter excepted, s 15.
96. Proceedings in appeals to be as in appeals from other Courts of Queen's Bench in Lower Canada, s 15.
97. No Inferior Term of the Court of Queen's Bench for the District of Gaspé, s 15.
98. Terms and return days, and cognizance of the Court of Queen's Bench, s 16.
99. Where offenders shall be committed and tried, s 17.
100. Grand and Petty Jurors not to be summoned unless there be criminal business before the Court; directions thereon, s 18.
101. In civil cases witnesses not to be summoned to attend out of resident County, unless duly served with a subpoena as prescribed in Act, s 19.
102. Governor to appoint two persons Joint Clerks of Court of Queen's Bench, their residence and attendance, &c., s 20.
103. Where records of Court of Q. B. shall be kept, s 21.
104. Duplicate Registers and Plumitifs in civil cases to be kept by Joint Prothonotaries; access free of expense, s 22.
105. Transmission of Records and Registers of Gaspé Land Claims, s 23 & 24.
106. Suits pending in Courts hereby abolished continued in Court of Q. B., s 25.
107. Governor to appoint Sheriff for the District; his security £1500, Currency, s 26.
108. Sheriff's Sales of Real Property, where made, and notice thereof, s 27.
109. Court of Queen's Bench for the District of Quebec to complete suits pending, which, if not commenced, would be within the jurisdiction of the District of Gaspé, s 28.
110. New terms for General Sessions of the Peace in the District of Gaspé, s 29.
111. Commissioner of Bankrupts *ex officio* Justice of the Peace for his resident County, and Chairman of the General Sessions, s 29.
112. Court not incompetent by absence of Chairman, s 29.
113. Commissioner of Bankrupts, a Justice of the Peace, property qualification not requisite, s 29.
114. Acts repealed—2 G. 4. c. 5; 4 G. 4. c. 7; 6 G. 4. c. 25; 2 W. 4. c. 50; Ordinance 3 & 4 V. c. 4; Act 4 & 5 V. c. 22, s 30.
115. All Acts, Ordinances or parts thereof inconsistent with Act likewise repealed, s 30.
116. Interpretation clause, s 31.
117. Act to commence after April 21, 1844, s 32.

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118. For the establishment of a better Court of Appeals in Lower Canada, 7 Vict. c. 18, 9th Dec. 1843.
119. So much of Act L. C. 34 G. 3. c. 6, as relates to the establishment of a Court of Appeals in L. C., repealed and the Court abolished, s 1.
120. New Court to consist of all the Justices of the several Courts of Q. B., in L. C., s 2.
121. Said Court to have appellate jurisdiction, to try and determine all matters and charges that may be appealed or removed by writ of Error from all Courts, s 3.
122. New Court to have all powers of the old, not inconsistent with provisions of this Act, s 4.
123. Order of precedence among the Justices of the Court, s 5.
124. Three terms of the Court to be holden every year at times specified, s 6.
125. Four Justices to form a quorum, s 6.
126. Justices of the Court whence an Appeal is made not to sit in the Court of Appeals, s 7.
127. Proceedings concurred in by a majority of the Court to be binding, s 7.
128. Judgment appealed from confirmed, when the Court is equally divided, s 7.
129. Governor to appoint a Clerk of the Court, s 8.
130. The Clerk of the Court may appoint or remove a Deputy, s 8.
131. Deputy Clerk's residence and duties, s 8.
132. Clerk of the Court or his Deputy not to practice as an Attorney, &c. in Lower Canada, s 9.
133. Style of Writs and Process; and to be in the English and French Languages, s 10.
134. If the Court shall be without a quorum, Clerk shall give notice thereof to the Governor, s 11.
135. Governor to appoint a sufficient number of the the Members of the Bar, of eight years' standing, to be Justices *ad hoc*, to have all the powers, &c., of Judges of the said Court when acting as such, s 11.
136. Laws in force for government of former, to be applied to present Court, s 12.
137. Power of the Court with respect to Tariff of Fees and Rules of Practice, s 43.
138. Part of Act of L. C., 41 G. 3. c. 7, repealed, relating to rules of Practice, &c., after one year from commencement of this Act, s 14.
139. Final Judgments of the Court to contain a statement of Fact and of Law; the reasons for the Judgments and names of the Justices, s 15.
140. Provision for performance of the duties of the Justices while absent attending the Court of Appeals, s 16.
141. Appeals to Her Majesty's Privy Council shall lie from the Judgment of the Court of Appeals of L. C., as before the passing of this Act, s 17.
142. Records of the former Court of Appeals to be transmitted to, and form part of the Records, &c. of new Court, s 18.
143. All Judgments of former Court to be valid as if this Act had not passed, s 19.
144. Proceedings pending in former Court to be continued and determined in the new Court, s 19.
145. Provision for the return of Writs or Process issued out of the former Court, s 20.
146. All parts of Acts and Ordinances inconsistent with this Act, repealed, s 21.
147. Interpretation Clause, s 22.
148. Act to commence from and after the twenty-first day of April, 1844, s 23.
149. To provide for the Summary trial of Small Causes in Lower Canada, 7 Vict. c. 19. 9th Dec. 1843.
150. Proceedings for the establishment of Commissioners' Courts, s 1.
151. Bailiffs, Sergeants of Militia, Tavern-keepers, &c. not to be or act as Commissioners, s 1.
152. Circuit Judges in the Cities of Quebec and Montreal to be *ex-officio* Commissioners, s 2.
153. Powers of Commissioners' Courts, exceptions and limitations, s 3 & 4.
154. Minors may sue in said Courts for Wages for any sum not exceeding £6. 5s. currency, s 5.
155. Oral Testimony sufficient in all cases cognizable in said Courts, s 6.
156. Cases wherein Defendant may be sued, not residing where Courts is held, s 7.
157. Times, places and regulations for holding Courts, s 8, 9, 10.
158. Commissioners to issue Summons returnable in 3 days on application according to form annexed, s 11.
159. Delay allowed between service and return of Summons, s 11.
160. Proceedings in cases of recusation of Commissioners, s 12.
161. Cases when evocation and appeal are allowed, s 13.
162. Cases cognizable in Commissioners' Court taken into Court of higher jurisdiction, only subject to costs of Commissioners' Court, s 13.

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163. Such limitation of costs not to apply in cases of evocation, s 13.
164. Evidence produced in Commissioners' Court in support of an allegation of forgery to operate as an evocation, s 14.
165. In such case of evocation all documents relative to such charge to be transmitted to the Clerk of the Court of Q. B., s 15.
166. Commissioner not to transmit such documents till security for payment of costs has been given, s 15.
167. In such case the Court of Q. B. to hear and determine the charge of Forgery, and the matter at issue, 16.
168. Suits brought into Commissioners' Court may, with consent of parties, be settled by arbitration, s 17.
169. The Court to appoint one Arbitrator, and each of the parties one, s 17.
170. Arbitrators shall be sworn—shall have power to hear witnesses—their award shall be final, s 17.
171. Judgment shall follow award as in ordinary cases, s 17.
172. Commissioner may issue Subpœnas for attendance of witnesses, s 8.
173. Penalty for not appearing on Subpœna not less than five nor more than twenty shillings currency, s 18.
174. Commissioners may administer oath to witnesses, s 18.
175. Proceedings relative to summoning Witnesses and hearing cases, s 19.
176. Court may allow Judgments to be satisfied by instalments on conditions, s 20.
177. Court may order execution in eight days after the Judgment, if the debt and costs are not paid, s 21.
178. Warrant of execution, notice of sale, sales and costs of proceedings, s 12.
179. Court may issue Warrant of *saisie gagerie*, *saisie revendication*, of *saisie arrêt* after judgment—conditions relating to such Warrants—form thereof in Schedule annexed and directions as to return days, s 23.
180. Oppositions, interventions, and *saisie arrêts* after judgment shall be as summarily decided as the causes in which they have arisen, s 24.
181. Commissioners to have the same power to preserve order in their Courts as the Judges in any Courts of Law, also for enforcing due execution of process issued by them, s 25, 26.
182. The Commissioner or majority of the Commissioners, or the senior Commissioner to appoint and remove a Clerk to each Commissioners' Court, s 27.
183. Appointments of Clerks and Deputy Clerks, their qualifications and duties, s 28, 29 & 30.
184. Clerk liable to a penalty of ten pounds, currency, for refusing or neglecting to give copies of Registers, s 30.
185. Penalty to be recovered by the person to whom copies are refused, s 30.
186. The Register of such Court to continue to be the Register of the Commissioners' Court for the same place, notwithstanding any change in the persons of Commissioners or Clerks, s 31.
187. When there shall cease to be a Commissioners' Court in any place, the person possessing the Register shall deposit it and all other papers in the Office of the Queen's Bench for the District under penalty of twenty-five pounds, currency, s 31.
188. Clerk of the Court, his heirs and representatives, subject to the same penalty for the same default, s 31.
189. Persons qualified or disqualified to act as Attorneys described, s 32.
190. Persons acting as Attorneys subjected to restrictions and conditions, and penalty on violating them, s 32.
191. Disqualification of Bailiffs as Witnesses, &c., and other directions relative to them, s 32.
192. Bailiffs or Sergeants of Militia, resident in the place, to be the only persons competent to serve Process, and directions as to their mileage, s 33.
193. Commissioners may specially address a process to a resident of the place where it is to be served, if there is no resident Bailiff, s 33.
194. Specification of costs and mileage, and penalty for exactions, s 34.
195. In cases where the amount of the judgment does not exceed ten shillings, the Court may limit the costs to the travelling expenses incurred, s 35.
196. No Commissioner to receive any remuneration for service done under this Act, s 36.
197. Commissioners and Clerks of Commissioners' Court to be bound by oath to their respective duties, such oaths shall be duly registered, &c., s 37.
198. Misconduct as defined of Commissioners and Clerks to be punished by fine of ten pounds, currency, with disqualification for Office, s 38.
199. Penalties under this Act recoverable in the Courts of the District wherein they are inflicted, s 39.
200. Appropriation of Penalties, s 39.
201. Wilful false swearing or affirming, to be pun-

ishable as wilful and corrupt perjury, s 40.

202. Every Commissioner appointed under this Act to receive a copy thereof in the French and English languages, to be transmitted to him in the usual way, s 41.

203. Interpretation Clause, s 42.

Schedule No. 1.—Form of Summons.

“ No. 2.—Form of Subpœna.

“ No. 3.—Form of Warrant, of Execution, &c.

“ No. 4.—Form of Warrant of Simple *Saisie en Main Tierce*.

“ No. 5.—Form of Warrant of *Saisie Gagerie*.

“ No. 6.—Form of Warrant of *Saisie Revendication*.

204. To alter the terms of the General Sessions of the Peace in and for the District of St. Francis, 7 Vict. c. 20, 19th Dec. 1843.

205. Part of Act of L. C., 3 G. 4. c. 17, fixing the time for the General Sessions of the Peace, repealed, from and after the twenty-first day of April, 1844, s 1.

206. From the aforesaid time the said Sessions to be from the first to the seventh day of March, and from the twenty-fourth to the thirtieth day of September in each year, both days inclusive, and Sundays and Holidays excepted, s 2.

Judges.

1. To render the Judges of the Court of King's Bench in Lower Canada independent of the Crown, 7 Vict. c. 15.
2. Judges to hold office during good behaviour, their Commissions declaring it to be “during pleasure,” notwithstanding; all future Commissions to appoint during good behaviour; but Judges removable by Government on address of Colonial Legislature, with right of appeal to Her Majesty in Privy Council, s 1.
3. Appointment of a Judge may be made *ad interim* by the Governor, but may be superseded by Royal decision in Privy Council, s 2.

Judicial Sale, See Caldwell, Sir John, 1.

Judgments, See Commissioners, 1.

Jury, See Ordinance, 24, & *Seq.*

Justices, See Public Meetings, 6.

K.

Kent, County of, See Fish, 1.

Kingston Marine Railway Company.

1. To alter and amend the Act of Incorporation of the Kingston Marine Railway Company, 7 Vict. c. 61. 9th Dec. 1843.
2. The Company may acquire, hold and depart with Real Estate of a limited annual value, s 1.
3. Deeds made previous to this Act made valid, s 2.
4. Corporation may erect buildings, &c. s 3.
5. And do the business of Ship Builders and Engineers, s 4.
6. Not to possess Banking privileges, s 4.

Kingston Mineral Wells Company.

1. To Incorporate the Kingston Mineral Wells Company, 7. Vict. c. 64. 9th Dec. 1843.
2. Certain persons Incorporated by the name of the Kingston Mineral Wells Company, s 1.
3. Appropriation and investment of Capital, s 2.
4. Company to acquire Real Estate, and to have power to lease and sell lands, s 3 & 4.
5. Amount of Capital £25,000, and number of Shares 1250, the same to be personal Estate, s 5 & 6.
6. Registry and addresses of Shareholders, s 7 & 8.
7. Company to give Certificates of Shares, which are to be evidence of title in Courts of Law; Certificates to be renewed when destroyed, s 9, 10, 11.
8. Proceedings as to transfers and transmission of Shares, s 12, 13, 14, 15, 16.
9. Notices to joint Proprietors of Shares, s 17.
10. Receipts for money payable to minors, s 18.
11. Company not bound to regard trusts, s 19.
12. Proceedings as to calls; Payments of; Interest of unpaid; Actions for; and forfeiture, if not paid, s 20 to 32.
13. Liability of Shareholders, s 33.
14. Execution against Shareholders for Capital not paid up, and re-imbursement if more be levied than is due, s 34 & 35.
15. Company may borrow money, and having paid off may re-borrow, s 36 & 37.
16. Rights of Mortgagees and Obligees, s 38 & 39.
17. Registry; Transfer, and entry of Transfers of Mortgages and Bonds, s 40 to 42.
18. Payment of Interest on Loans, s 43.

KINGSTON MIN. WELLS.

19. Repayment of money borrowed at time fixed ; and when no time is fixed, s 44 & 45.
20. Provisions for enforcing payment of Interest in arrear, and for payment of Principal and Interest, s 46 to 48.
21. Mortgagees not to vote at a Meeting of the Company, s 49.
22. Books of the Company to be open for inspection of Creditors at all reasonable times without fee, s 50.
23. Company may extend Capital by raising a further sum of £25,000, by issue of new Shares, s 51.
24. Owners of new Shares entitled to dividend only in proportion to amount paid on them, s 52.
25. New Capital considered part of the old, and subject to the regulations herein enacted for the old, s 53.
26. Old Shares bearing a premium, the new to be offered first to existing Shareholders, s 54.
27. If not at a premium to be issued as the Company think fit, s 55.
28. Occasions and notices of Ordinary and Extraordinary Meetings, and business thereof, s 56 to 61.
29. Relating to Quorum ; Chairman ; and voting at General Meetings, and to adjourning Meetings, s 62 to 69.
30. Who are to be the first Directors, and proceedings as to the election and qualifications of future Directors, and of occasional vacancies in the office of Directors, s 70 to 75.
31. Powers to be exercised by Directors, s 76.
32. Powers not to be exercised by Directors, s 77.
33. Regulations for Meetings of Directors, and Committees of Directors, s 78 to 80.
34. Proceedings of Directors to be entered in a book which is to be open to the inspection of the Shareholders, s 81.
35. Informality in the appointment not to invalidate the proceedings, s 82.
36. Directors not to be personally liable, and to be indemnified out of the Capital of the Company for all losses sustained in the lawful exercise of their office, s 83.
37. Proceedings relating to the election, powers and duties of Auditors, s 84 to 91.
38. Proceedings relating to the appointment and removal of Treasurer, and security from him, s 92 to 94.
39. Officers of the Company to account, on demand, to the Directors for Monies received, s 95.
40. Proceedings against Officers failing to account, s 96 & 97.

LYING-IN HOSPITAL.

41. Directors to keep full and true accounts, s 98.
 42. Books to be balanced fourteen days previous to every ordinary Meeting, s 99.
 43. Books so balanced and balance sheet to be open to the inspection of Shareholders at the Company's Office during the aforesaid fourteen days, s 100 to 102.
 44. Proceedings relating to Declaration of Dividends, s 103 to 107.
 45. As to fines for breach of By-Laws, s 108 & 109.
 46. How Notices are to be served on Company, s 110.
 47. How Notices by Company are to be served on Shareholders, s 111.
 48. Notices by advertisement, s 112.
 49. Authentication of Notices, s 113.
 50. Release of Witnesses, s 114.
 51. How Company may prove Debts in cases of Bankruptcy, s 115.
 52. In actions brought under this Act, Tender of sufficient amends to prevent Plaintiff recovering, s 116.
 53. Interpretations, s 117.
 54. Public Act, s 118.
- Schedules referred to in Act.

L.

L'Achigan, See *Dames Religieuses*.

Lauson Seigniory, See *Caldwell* 3.

Laws, Proof of, See *Notaries*, 2.

Legislative Assembly, See *Judicature*, 10.

Legislative Council, See *Judicature*, 10.

Licences, See *Timber*, 9.

Lying-In Hospital.

1. To Incorporate the Ladies of the Committee of Management of the Lying-in-Hospital, 7 Vict. c. 53. Nov. 16, 1843.
2. Certain Ladies incorporated, title, powers, and By-laws, s 1.
3. Meetings and appointment of Officers, s 2.
4. Property of present Association vested in the Corporation, and present Officers and By-laws continued, s 3.
5. Managers to appoint Officers and Servants, s 4.
6. Members not personally liable for obligations of Corporation, s 5.

LYING-IN HOSPITAL.

7. Marital authority to married women not required for purposes of this Act, s. 6.
8. Rights of the Crown, &c. saved, s 7.
9. Public Act, s 8.

M.

Manure, See Tolls, 1.

Masts, See Timber, 1.

Military aid, See Processions, 9.

Minors, See Education Society, 5. Trust and Loan Company, 13. Kingston Mineral Wells Company, 10.

Misdemeanor, See Bankrupt, 59 ; Public Meetings, 20, 21, 23, 31.

Model Schools, See School, (2) 53.

Montreal, Bank of

1. To amend the Act incorporating the Bank of Montreal, by providing for the extension of the time limited for paying up the new Stock of the said Bank, 7 Vict. c. 46. 16th November, 1843.
2. Time extended to two years from the passing of this Act, s 1.

Montreal, Bishop of

1. To confer certain powers on the Bishop of Montreal in the transfer of certain Lands, 7 Vict. c. 48. 9th Dec. 1843.
2. The Bishop of Montreal where there is no Bishop of Quebec, to exercise all the powers conferred by 6 G. 4 and other Acts on Bishop of Quebec, s 1.

Montreal Library Association,

1. To incorporate the Members of the Mercantile Library Association of Montreal, 7 Vict. c. 47, 9th Dec. 1843.
2. Certain persons incorporated, their Corporate name and powers, s 1.
3. Process against Corporation may be served where their Library is deposited, s 2.
4. Proceedings relative to meetings, and election of Officers, s 3, 4, 5.

MONTL. WATER WORKS.

5. Corporation to have power to make By-laws, &c. s 6.
6. Act to be a public Act, s 7.

Montreal Water Works.

1. To authorize the Corporation of Montreal to purchase and hold the property known as the Montreal Water Works, 7 Vict. c. 44. 9th Dec. 1843.
2. Corporation authorized to purchase for £50,000 Cy. the said property, and to take thereby all powers, &c. conferred by Act 41 Geo. 3. c. 10. s 1 & 2.
3. Corporation may, by By-laws, acquire, dispose of, and fully control said property for purposes of Act within 12 miles of the City of Montreal, s 3.
4. Parties disposing of real estate to the Corporation indemnified, s 4.
5. Corporation may enter upon lands for purposes of Act on tender of value thereof, s 5.
6. Governor in Council may lease to Corporation, portion of River beach for purposes of Act, s 5.
7. Corporation to have power to open streets, and private grounds with consent of owner, or upon amends, and to make good and satisfy for damages, s 6, 7.
8. Works not to interfere with public health or constitute a public nuisance, s 8.
9. Penalty for parties taking water from the Water Works, without permission, £25 Cy. &c. s 9.
10. Penalty for polluting the Water, £5 Cy. every offence, s 10.
11. Damages done to Water Works recoverable by action, s 11.
12. Corporation may make By-laws but not impose a general tax for Water, s 12, 13.
13. May issue Debentures, s 14.
14. Revenue from Water Works to be applied to payment of purchase, till paid off, s 15.
15. Debentures and Interest thereon receivable by City Treasurer for Debts due to the City. Proviso as to Interest, and persons paying Debentures to endorse them, s 16, 17.
16. Forging or issuing forged Debentures punishable by imprisonment in P. Penitentiary, s 18.
17. Further proceedings as to Interest on Debentures, s 19, 20.
18. Calling in and stoppage of Interest, s 21.
19. Act not to interfere with powers of Corporation to borrow money for general purposes, s 22.
20. Particular statements of the Revenue, expenditure and Property to be kept, and published annually, s 23.

MONTL. WATER WORKS.

21. Act not to prevent private Water Works, or to bind Legislature, s 24.
22. Nothing in Act to affect Rights of the Crown, s 25.
23. Limitation of Actions, proceedings therein and costs, s 26.
24. Ordinances incorporating City to govern matters under this Act not repugnant thereto, s 27.
25. Repugnant laws repealed except as to past transactions, s 28.
26. Public Act, s 29.

Morgan Cyprian, &c.

1. To naturalize Cyprian Morgan, and others, 7 Vict. c. 43. 9th Dec. 1843.
2. Names of the persons naturalized in Act, and oath to be taken, s 1, 2.
3. A public Act, s 3.

Mortgages, See Trust and Loan Company, 31, Kingston Mineral Wells Company, 16.

Municipal Officers, See Anatomy, 7.

N.

Navy, see Census, 7.

Nazareth, Fief of—See Tenure, 1.

Niagara Harbour and Dock Company,
See Ordinance, 21.

Niagara and Gore Districts.

1. To amend the Act relating to the Boundary line between the Niagara and Gore Districts, 7 Vict. c. 40. 9th Dec. 1843.
2. Boundary line defined in Act, s 1.

Normal Schools, See Schools (2) 60.

Notaries.

1. To facilitate the proof of the Laws of Upper and Lower Canada, and to declare Protests of Notaries Public, evidence in certain cases, in Upper Canada, 7 Vict. c. 4. 9th Dec. 1843.
2. Copies of Laws passed before the Union and duly printed by authority to be received as evidence of such Laws in all suits and proceedings, in Lower Canada, s 1.

ORDNANCE.

3. Written testimony of Notaries Public in matters of bills of exchange presumptive evidence in Courts of Upper Canada of the facts to which such testimony relates, s 2.
4. The production of any Notarial protest shall be presumptive evidence in Upper Canada that such protest was made, s 3.

Notre Dame de Québec, See Congrégation.

O.

Oath of Allegiance, See Public Officers, 3.

Ordinance.

1. For vesting in the Principal Officers of Her Majesty's Ordinance the Estates and Property therein described, &c. 7 Vict. c. 11, 9th Dec. 1843.
2. Enumeration of the various descriptions of property, proposed to be, and which by this Act are vested in the Principal Officers of Her Majesty's Ordinance in Great Britain, and their successors in Office, in trust for Her Majesty, Her Heirs and Successors, s 1.
3. What descriptions of Property are exempt from the operation of this Act, s 1.
4. Act not to affect any title possessed by any person at the time of the passing of this Act, nor to affect the title now held by the Principal Officers, &c. s 1.
5. All future acquisition of real property by the Principal Officers or Her Majesty, or by any person in trust for Her Majesty for purposes agreeable to this and other Acts and Laws shall be vested in like manner as herein stated in Section first with regard to property already acquired, s 2.
6. The Commander of Her Majesty's Forces shall certify what lands are required for Military Works, &c. proceedings thereon, s 3.
7. Such grants to be vested as herein stated in Section first, s 4.
8. Any lease or conveyance or promise thereof, made of any real property by any Officer or person before the passing of this Act, shall be held good and valid by the said Principal Officers, and deeds executed as required, s 4.
9. Arrangement respecting arrears of Rent at Bytown, s 5.
10. Conditions on which Leaseholds at Bytown may be converted into Freeholds, s 6.

ORDNANCE.

11. Conditions on which lands at Bytown may be disposed of which are vacant and not required for Military or Canal purposes, s 7.
12. Conditions on which occupiers previous to Sept. 21, 1843, and who have made improvements to the value of ten pounds currency or upwards shall hold or purchase lands in their occupation, s 7.
13. The Principal Officers, &c. shall abide by the conditions attached to all lands whereby the inheritance or absolute property is qualified or limited, s 8.
14. They may take leases of Lands, &c. required for the use of the Ordnance Department, s 9.
15. Enumeration of certain parties who may convey property to the Principal Officers, &c. s 10.
16. Property vested in Principal Officers, &c. on their death is vested in their successors in Office, s. 11.
17. Interpretation of the Words "Principal Officers," s 11.
18. Principal Officers may sell or exchange the property vested in them in any way they deem most beneficial for the public service, and may duly grant or assign the same, s 12.
19. Monies arising from such sales to be paid as the Principal Officers shall direct, and their receipt attached to the assignment, lease or other instrument shall be a valid discharge to the purchasers, s 13.
20. Principal Officers may enter upon lands which may be required for the service of the Ordnance Department; proceedings thereon, s 14.
21. This Act shall not authorise the Principal Officers, &c. to interfere with any lands described in the Act of U. C. incorporating the Niagara Harbour and Dock Company, s 14.
22. This Act shall not be construed to prevent the Parliament of this Province from constructing any road or canal through any lands by this Act vested in the Principal Officers, &c. s 15.
23. Proceedings in cases where the owner or party authorized to sell lands required for the Ordnance Department shall refuse to sell, or shall be out of the Province, &c. s 16.
24. Jury to be summoned and proceedings, as to costs, by whom and to whom to be paid, s 16.
25. Appeal allowed from the verdict of Jury to Superior Courts, s 17.
26. Jury may assess a separate compensation for a lessee or tenant at will, s 18.
27. Lands acquired by means of a Jury awarding compensation to be vested in the Principal Officers as before stated, s 19,
28. Tender of payment to bar the right of claim of other parties, s 19.
29. Principal Officers shall not so take lands in absolute Property without the consent of some party who might convey the same unless under particular circumstances, s 19.
30. Unless the Commander of the Forces certifies the necessity thereof, or an enemy have invaded the Province s 19.
31. Principal Officers may remove all buildings erected by them on hands held on lease at the expiration of the term, and make compensation for damages as stated in Act, s 20.
32. Agreements not to be affected by this Act, s 20.
33. Further proceedings as to compensation awarded, s 21.
34. Compensation for lands taken by the Principal Officers in Lower Canada to be paid in cases herein specified into the hands of the Sheriff of the District, s 22.
35. Directions how the Sheriff shall proceed in such cases, s 22.
36. Compensation for lands taken in Upper Canada shall be paid to the party appointed to receive the same in trust by order of any two Justices of the Court of Queen's Bench; directions to Principal Officers in such cases, s 23.
37. Compensation as in cases aforesaid when the amount shall be above Twenty, and less than Two Hundred Pounds, to be paid to Three Trustees, s 24.
38. Directions for the disposal of compensation money under the same circumstances when the amount shall be less than Twenty Pounds currency, s 25.
39. In any dispute arising concerning the right to such compensation money the party conveying the same shall be deemed to have been entitled to do so till the contrary be found in any competent Court, s 26.
40. Enrollment of deeds of lands conveyed to Principal Officers, &c. proceedings thereon, s 27.
41. Principal Officers shall have power to free lands vested in them from Seigniorial Rights by payment or tender of value, s 28.
42. Principal Officers may commute with any *cessionnaire* on the same conditions as Her Majesty might have done without this Act, s 29.
43. Lands at Bytown heretofore taken for Rideau Canal and not used for Canal to be restored, s 29.
44. Principal Officers may prosecute any actions relative to lands vested in them or acquired by this Act, s 30.

ORDNANCE.

45. Their legal title to be "The Principal Officers of Her Majesty's Ordinance," s. 30.
 46. Where suits against the said Principal Officers shall be brought, s. 31.
 47. Process or writs shall be duly served on the said Principal Officers if left at the office of the Ordinance within the said jurisdiction, s. 31.
 48. In all suits and actions the Principal Officers shall be subject to the same proceedings of the Court as to receiving and paying damages and costs, as the case may be, as private individuals, s. 32.
 49. Nothing in this Act shall affect the rights of Her Majesty in any suits in which the said Principal Officers are a party, s. 33.
 50. In Official Documents in which the Principal Officers, &c., are a party the style of the said Officers shall be "The Principal Officers of Her Majesty's Ordinance," without naming them or any of them, s. 34.
 51. Principal Officers to have full authority to take all necessary proceedings to compel payments, or to quit possession of any lands vested in them, s. 35.
 52. The acts of any two or more of the Principal Officers shall be as valid as if they were done by all of them, s. 36.
 53. They may depute their authority under this Act, and revoke the same as they may think necessary, s. 36.
 54. The Principal Officers shall not be affected personally in any way by their acts, but as Principal Officers of Her Majesty's Ordinance, s. 37.
 55. Ordinances L. C. 2 V. c. 21. L. C. 4 V. c. 18, and Act U. C. 3 V. c. 16 are hereby repealed, s. 38.
 56. Interpretation Clause, s. 39.
 57. Public Act, s. 40.
- Schedule of lands vested in the Principal Officers, &c., by this Act, and referred to in Section first.

Orphan Asylum.

1. To Incorporate the Ladies of the Protestant Orphan Asylum of Montreal, 7 Vict. c. 52. Nov. 16, 1843.
2. Certain Ladies Incorporated; their title, powers, limitation of property, and by-laws, s. 1.
3. Proceedings as to Meetings, s. 2.
4. Property vested in the Corporation; Proceedings as to present Managers, and Rules, Servants, &c. s. 3 & 4.
5. Members not personally liable for Debts of the Corporation, s. 5.

PERJURY.

6. Marital authority not required for married women acting in the Corporation, s. 6.
7. Rights of the Crown, &c., saved, s. 7.
8. Public Act.

Ottawa District.

1. To explain an Act of 3 Vict. "to confirm and regulate certain sales of lands for Taxes in the Ottawa District," 7 Vict. c. 37. 9th Dec. 1843.
2. The titles of certain lands sold by Sheriff for Taxes, under Act of 3 Vict. re-vested in the then owners thereof, on condition that arrears and 20 per cent. be paid within six months, s. 1.
3. An Act to confirm certain Official Acts in the Offices of Registrar, Clerk of the Peace, Clerk of District Court, and Registrar of Surrogate Court in Ottawa District, 7 Vict. c. 38. 9th Dec. 1843.
4. Official Acts of Donald McDonald, as Deputy to R. P. Hotham, done after decease of said Hotham, confirmed and made valid, and said Donald McDonald entitled to the Fees, s. 1 & 2.
5. An Act to divide the Township of Hawkesbury, in the Ottawa District, and constituting the Townships of East and West Hawkesbury, 7 Vict. c. 39. 9th Dec. 1843.

P.

Parent, A. A., See Caldwell, 5.

Parliament.

1. For continuing the Provincial Parliament on the demise of the Crown, 7 Vict. c. 3. 16th Nov. 1843.
2. After this Provincial Parliament, no Provincial Parliament called by Her present Majesty or Her Heirs shall be dissolved by demise of the Crown, s. 1.
3. Nothing in this Act shall be construed to alter or abridge the power of the Crown to prorogue or dissolve the Provincial Parliament, s. 2.

Penalty, See Census 16; Timber, 32, 33, 35, 36; Sheriffs, 6; Rivers, 2; Montreal Water Works, 9; Trust and Loan Company, 51; Fish, 4.

Perjury, See Gaspé Fishery Company, 26; Bankrupt, 60.

PERSONAL ACTS.

Personal Acts.

1. Besse, Charles Alfred and others, to Incorporate, 7 V. c. 51.
2. Counter, John and others, to Incorporate, 7 V. c. 63.
3. Cunningham, Charles and others, to Incorporate, see Gaspé, 7 V. c. 45.
4. Duval, Jean François and others, to Incorporate, 7 V. c. 50.
5. Ferrie, Adam The Hon., to authorize, &c., 7 V. c. 59.
6. Gosselin, Alexis to renew and continue certain privileges, 7 V. c. 56.
7. Harrison, S. B. to authorize Court of Q. B. &c. 7 V. c. 58.
8. Holmes, Susanna and others, to Incorporate, 7 V. c. 52.
9. Michel, Marie and others, to Incorporate, 7 V. c. 54.
10. Morgan, Cyprian and others, to naturalize, 7 V. c. 43.
11. Morton, James and others, to Incorporate, 7 V. c. 64.
12. Newhouse, William and others, to Incorporate, 7 V. c. 47.
13. Platt, Elizabeth and others, to Incorporate, 7 V. c. 53.

Perjury, See Judicature, 201; Gaspé Company, 26.

Police Board of, See Schools, (2) 65.

Police.

1. To alter and amend certain provisions of the Ordinance of the Governor and Council of Lower Canada, 2 V. (1) c. 2. intituled, "An Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal, 7 Vict. c. 21.—9th Dec. 1843.
2. Part of Ordinance 2 V. (1) c. 2. repealed, so much thereof as authorizes Justices of the Peace to commit loose, idle and disorderly characters to Prison, s 1.
3. Justices of the Peace may impose a fine on such, not exceeding five pounds leviable by distress, s 1.
4. Justices may commit such to prison for not exceeding two months if the fine imposed is not satisfied, s 1.
5. Such part of the said Ordinance is repealed, as deprives convicted persons of the benefit of a Writ of *Certiorari*, and which enacts that conviction shall not be quashed for want of form, s 2.

PROCESSIONS.

6. In all proceedings against the said characters the charge shall be in writing, and be stated by the the Justices to the accused, s 3.
7. The charge shall be summarily laid, and the accused allowed time to procure witnesses, s 3.
8. Appeal allowed to the next ensuing General Quarter Sessions upon security being given for penalty and costs, s 4.
9. The said Sessions to have the power to hear and determine such Appeal in the manner practised upon other Appeals, s 4.
10. Every commitment which does not specify the particular facts which constitute the offence, to be insufficient, and the person in such case to be entitled to be discharged, s 5.

Printed Acts of Parlt. by authority, Evidence in Courts of Law, See Notaries, 2.

Privy Council, See Judges, 2, 3.

Processions.

1. To restrain Party Processions in certain cases, Vict. c. 6. 9th Dec. 1843.
2. All parading and processions of persons, celebrating Political events or anniversaries, connected with any religious or other distinctions, or demonstrating such distinctions hereby declared unlawful, s 1.
3. Or carrying weapons, wearing or exhibiting symbols or banners, or performing music calculated to provoke animosity between different religious persuasions, s 1.
4. Every person present shall be deemed to be guilty of a misdemeanor, and liable to fine or imprisonment, at the discretion of the Court, s 1.
5. Justices of the Peace with such assistance as may be required, to proceed to the place of the assembly, and read or repeat a command to disperse, in words to the effect set forth in Schedule A. annexed to this Act, s 2.
6. Justices of the Peace may apprehend by warrant all persons who shall remain together, after the command to disperse, s 3.
7. The parties so offending shall be proceeded with in a summary way, either by a Justice of the Peace on his own view of the offence, or by other Justices, s 3.
8. Every person convicted of such offence by the oath of one or more witness or witnesses shall be committed to the Common Gaol for one Calendar month, and until the costs of conviction be paid, s 3.

PROCESSIONS.

9. Nothing in this Act to restrain the Justices of the Peace from calling in military or other aid, as heretofore, s 3.
10. Persons convicted under Section third of this Act, and committed for a longer period than twenty-four hours, may appeal to the Quarter Sessions to be holden not less than within twelve days of such conviction, s 4.
11. Persons intending to appeal shall give notice thereof to the Justice who shall have committed them; such notice to be given in writing within three days of such conviction, and at least seven days before such Sessions, s 4.
12. Every such person shall either remain in custody till the Appeal is disposed of, or give two sufficient securities to appear and abide the decision, and to pay the costs, and to keep the peace, s 4.
13. Upon such notice and security given the Justice shall release such person, s 4.
14. The Court at such appeal to determine the case, and if the appeal is dismissed or the conviction affirmed shall order the offender to be punished and to pay costs, and the Court may order process for enforcing such judgment if required, s 4.
15. Court shall have power to empanel a jury, to try the case of appeal, and administer oath to the jury in the form given in this Section, s 5.
16. Nothing in this Act to apply to processions religious attended by the minister of the persuasion to which such processions profess to belong, s 6.
17. Actions against persons acting under the authority of this Act to be brought within twelve months after the cause of such action, s 7.
18. Act to be read aloud in open Court on the first day of every General Quarter Sessions, for two years after the passing thereof, s 8.
19. Schedule A. Command to disperse.

Protestants, See Schools, (2) 52.

Protests, See Notaries, 4.

Public Meetings.

1. To provide for the calling and orderly holding of Public Meetings and for the better preservation of the public peace treat, 7 Vict. c. 7. 9th Dec. 1843.
2. Public Meetings of the Inhabitants or of any particular class of the Inhabitants, which are required by Law and summoned according to the fourth section of this Act, shall be public meetings within the meaning of this Act, s 1.

PUBLIC MEETINGS.

3. All such meetings called in the manner directed by section fifth of this Act, upon requisition of twelve qualified persons, shall be public meetings within the meaning of this Act, s 2.
4. Qualified electors for the Provincial Parliament, and twelve in number or more, may sign requisitions, s 2.
5. Public meetings within the meaning of this Act must be called by the Sheriff or mayor or chief municipal officer, or any two Justices of the peace, of their District, Township or City respectively, s. 2.
6. Any two Justices of the peace may declare a public meeting of the inhabitants in their respective Districts, &c. in the manner prescribed by s 6, to be a public meeting within the meaning of this Act. s 3.
7. The summons calling any public meeting within the meaning of this Act, to contain a notice that such meeting and all who attend it shall be within the protection of this Act; such notice may be to the effect as set forth in Schedule A. annexed to this Act, s 4.
8. The above mentioned summons and notice to be issued at least three days previous to the day fixed for such meeting, s 5.
9. Summons and notice to contain the names or a competent number of the names of the requisitionist as directed by Schedule B. annexed, s 5.
10. Public meetings called by whomsoever be placed under the operation of this Act by any two Justices of the Peace after information received on oath by any one Justice of the Peace, of such intended meeting. Notice and declaration may be in the form of Schedule C. annexed, s 6.
11. Copies of such notice to be extensively circulated, s 7, 8.
12. Sheriffs, &c. calling public meetings shall attend them, and assist in preserving the peace till the dispersion of such meetings, s 9.
13. Person presiding at such meeting to commence the proceedings by causing to be read the summons or declaration constituting it a public meeting under this Act, s 10.
14. Person presiding at such public meeting authorized to remove persons attempting to interrupt or disturb such meeting to a distance from the place of meeting, s 11.
15. Also on his own view, and by writing under his hand, he shall adjudge disturbers of such meeting guilty of disturbing such meeting, s 11.
16. Upon which conviction, Justice of the Peace

PUBLIC MEETINGS.

- may commit offenders by warrant to imprisonment, for a period not exceeding forty-eight hours, s 11.
17. Offenders committed under this Act for disturbing public meetings, to pay costs of arrest, transmission to Gaol, and detention, s 11.
 18. Chairman of such meetings authorized to command the aid of all Justices of the Peace, Constables to assist in preserving the peace, s 2.
 19. Justices of the Peace, present upon receiving a written application from the Chairman, shall swear in as many Special Constables as they may deem necessary to keep the peace, s 13.
 20. Any person between the ages of eighteen and sixty years refusing to be sworn in a Special Constable, shall be guilty of a misdemeanor, and may be fined not more than forty shillings, s 14.
 21. Such fine recoverable as in other cases of misdemeanor, s 14.
 22. Justices of the Peace shall have power to disarm any person going to or attending such meeting with any offensive weapon in his possession, s 15.
 23. Persons refusing to deliver up offensive weapons, guilty of a misdemeanor, and liable to the fine specified in section fourteen, s 15.
 24. Justices of the Peace to record refusal to deliver up offensive weapons, and to adjudge the fine as in Section fourteen, s 15.
 25. And upon refusal to deliver up offensive weapons, Justice of the Peace may disarm the offender by force, s 15.
 26. Offensive weapons which have been peaceably delivered up, if over the value of five shillings, may be returned to the owner, on the day after the meeting, s 16.
 27. No Justice of the Peace shall be held liable for the loss or damage of any weapon accidentally injured or lost, s 16.
 28. Persons convicted of a battery on the day and within two miles of the place of any public meeting, shall be liable to a fine not exceeding twenty-five pounds, or imprisonment of not more than three calendar months, at the discretion of the Court, s 17.
 29. It shall not be lawful for any person but those herein excepted, on the day of any public meeting, to approach the place thereof within two miles with any offensive weapon, under penalty not exceeding twenty-five pounds, or imprisonment not exceeding three calendar months, or both at the discretion of the Court, s 18.
 30. Sheriffs, Under Sheriffs, Justices of the Peace, The Mayor, High Bailiff, Constables and Special

RAFTS.

- Constables, employed at such meeting, are excepted from the application of section eighteen, s 18.
31. Persons lying in wait for others in returning from public meetings, with intent either by assault or other demeanor, to provoke them to a breach of the Peace, shall be guilty of a misdemeanor, and punishable by fine not exceeding fifty pounds, or imprisonment not exceeding six Calendar months, or both, at the discretion of the Court, s 19.
 32. Actions for things done under authority of this Act, must be brought within twelve months after the cause of such action, s 20.
 33. Act to be read aloud in open Court on the first day of every General Quarter Sessions for two years after the passing thereof, s 21.
- Schedule A.—Addition to be made to the notice or summons calling any Public Meeting.
- Schedule B.—Notice for calling Public Meetings on requisition.
- Schedule C.—Notice and Declaration by Justices of the Peace.

Public Officers.

1. To exempt Public Officers from the expense of new Commissions, on the demise of the Crown, 7 Vict. c. 8. 9th Dec. 1843.
2. On the demise of the Crown it shall not be necessary for the public Officers or Functionaries to receive new Commissions, s 1.
3. Governor by Proclamation to authorize all persons in Office to continue in the exercise of their respective duties, &c. taking the usual oath of allegiance, s 1.
4. Proclamation being issued, and oath taken, every public officer to continue such to the same effect as if appointed *de novo* by commission, s 1.
5. All acts of office *bona fide* and duly performed, between the demise of the Crown and the issue of the Proclamation to be good and valid, s 1.
6. The rights or Prerogative of the Crown not prejudiced or affected by this Act, s 2.

Q.

Qualification of Justices of the Peace, See Judicature, 113.

Quebec, See Education Society.

R.

Rafts, Conductors of, See Timber, 37.

REAL ESTATE.

Real Estate, See Montreal Water Works, 4.

Receiver, See Trust and Loan Company, 30.

Registration, See Isle Bizarre, 1.

Registration.

1. To amend the Ordinance providing for the Registration of Titles to Real Property or Incumbrances thereon in Lower Canada, and further to extend the time allowed by the said Ordinance for the Registration of certain Claims, 7 Vict. c. 22. 9th Dec. 1843.
2. Part of Ordinance 4 V. c. 30. repealed; the fifth and part of the fifty-eighth section, from March 1st, 1844, s 1.
3. Offices for Registering all Documents affecting Real Property, to be established in every County of Lower Canada from the date aforesaid, where the Governor shall appoint, s 2.
4. Governor to appoint and remove Registrars, s 2.
5. From the day aforesaid, all the Books, Registers and Documents whatever, belonging to Registry Offices under Acts of Lower Canada, repealed by the Ordinance herein in part repealed, to be returned to the County Registry Offices hereby established, s 3.
6. Enumeration of counties from which Registry Offices such transmission is to be made, s 3.
7. All Registers and Documents, whatever, made under the Ordinance herein in part repealed, to remain and form part of the Records and Papers of the respective Counties in which they have been kept, s 4.
8. The Registrar in whose possession the before mentioned Registers, &c., are, shall transmit copies of all Documents affecting Real Property to the County Registry Offices to which such Documents relate, s 4.
9. Such Registrar to receive from the Consolidated Revenue Fund six pence currency for every hundred words of such copies, s 4.
10. All instruments in writing, &c., designated in the first section of the herein in part recited Ordinance, and required therein to be registered, may be registered at full length, by transcription into the Registers in the several Offices to be established under this Act, s 5.
11. All the provisions of the aforesaid in part recited

RIVERS.

- Ordinance to be in force, not inconsistent with this Act, s 5.
12. Such full length Registration to be of the same legal effect as Registration by Memorial, s 5.
 13. Certificate indorsed on any Document, to be evidence of such Registry, s 5.
 14. Duly authenticated copies of any Document at full length shall be registered, and have the same efficiency as if the Document was produced, and without a requisition in writing being necessary, s 6.
 15. When a Registration is made by Memorial, the Certificate of the Registrar shall contain a copy of, or be indorsed on the Memorial, s 7.
 16. The partial discharge of an Incumbrance shall be entered on the margin of the Register, in the manner provided with regard to the total discharge, s 8.
 17. Entry of Discharge to be made on deposit of Certificate or other attestation, as prescribed by the said Ordinance, s 8.
 18. Incumbrancer refusing Certificate of Discharge liable to action, the judgment consequent thereon shall declare such discharge, s 8.
 19. No Registration of Title subsequent to the Title of party in possession to affect such Title, even if not registered, s 9.
 20. The sixteenth Clause of the aforesaid Ordinance explained, s 10.
 21. In any part of Lower Canada, a simple acknowledgement of indebtedness executed and delivered before two witnesses, manifesting the intention to hypothecate, shall be deemed a valid hypothecation of the property therein described, s 11.
 22. Form of such Hypothecation, s 11.
 23. Period limited by the aforesaid Ordinance for registering Memorials, &c., extended to Nov. 1st, 1844, s 12.
 24. Registration not made before the above mentioned period to be of no effect, s 13.

Religieuses Dames du Sacré Cœur de Jésus, See Dames Religieuses.

Review, Court of, See Bankrupt, 72.

Rivers,

1. To prevent obstructions in Rivers and Rivulets in Upper Canada, 7 Vict. c. 36. 9th Dec. 1843.

RIVERS.

2. Obstructions and Penalty, and how Penalty and Damages are to be recovered, s 1.
3. Limitation of Penalty, and Appeal allowed, s 2.
4. Appropriation of Penalties, and Assessed Damages, how applied, s 3.
5. Damages recoverable by distress; imprisonment if distress is not satisfied, s 4.
6. Act to continue to the Session of Parliament after the expiration of four years, s 5.

Roads, See Ordinance, 22.

Roman Catholics, See Schools, (2) 52.

S.

Schools, (1).

1. To provide further for the establishment and maintenance of Common Schools, &c. &c., 7 Vict. c. 9, 9th Dec. 1843.
2. The sum of Fifty thousand Pounds granted for the maintenance of Common Schools shall be apportioned year by year, by order of the Governor in Council, s 1.
3. Such apportionment shall be, between Upper and Lower Canada, in proportion to the relative numbers of the population of the same respectively, as such numbers shall be ascertained by the Census next before taken in each of the said divisions, s 1.
4. Until an effectual Census be taken in Lower Canada, the sum of Thirty thousand pounds, shall be apportioned to Lower Canada, and Twenty thousand pounds to Upper Canada, s 2.
5. Indemnity granted to all parties to payments of School monies previous to this Act, s 3.
6. Such parties shall duly account for the same payments notwithstanding the indemnity herein granted, s. 3.
7. To remedy the impracticability of the former Act 4 & 5 Vict. the Governor in Council to apportion the School monies for the years 1842 and 1843, or parts thereof, either agreeably to an Act to be passed in the present Session of Parliament or in default thereof, as in the opinion of the Governor in Council will be just and equitable, s 4-5.
8. The word "Governor" to apply to the person administering the Government, s 6.
9. All monies applied under authority of this Act to be duly accounted for, and the accounts thereof to be laid before each branch of the Legislature, s 7.

SCHOOLS.

Schools (2).

1. For the establishment and maintenance of Common Schools in Upper Canada, 7 Vict. c. 29, 9th Dec. 1843.
2. Secretary of Province, *ex-officio* Chief Superintendent of Common Schools of U. C. s 1.
3. Governor to appoint Assistant Superintendent, s 2.
- 4 Superintendent to apportion School monies annually on or before 1st March, s 3.
5. Apportionment to be for each place according to its population as compared with others upon the census then last taken, s 3.
6. When Census does not supply the ratio, Superintendent shall determine the same upon the best evidence he can obtain, s 4.
7. Chief Superintendent to certify his general apportionment to Inspector General, and notify to County Superintendents of Common Schools, their proportion thereof, s 5.
8. Chief Superintendent to distribute this Act, and prepare instructions and forms for all proceedings under it, s 6, 7.
9. School monies annually payable by warrant to County Superintendents on 1st August, s 8.
10. County Superintendent to notify amount payable to each subordinate Superintendent of Schools in his County, and pay the same to his order, s 9.
11. Portions remaining in hands of Co. Superintendent at date of next receipt of School monies to be added to same, and distributed in like proportions, s 10.
12. Co. Superintendent to certify to each Township, Town, and City Clerk, amounts payable by him, s 11.
13. Township, &c. Councils to levy an equal amount at least, and not more than double, and pay over same to Township, &c. Superintendents of Common Schools, s 12.
14. Local Councils may exempt School Districts, not exceeding two in each locality from payment of School Tax, on account of the poverty of such Districts, s 13.
15. A Superintendent of Common Schools to be appointed by the Council in each Township, &c. tenure of office, security, mode of appointment and duties, s 14, 15, 16.
16. No alteration of School District to be made without consent of the Trustees, and three months previous written notice to them, s 17.
17. No apportionment of School money shall be made to any school District for the same years

SCHOOLS.

- from which no sufficient Report shall have been received, s 18.
18. Nor unless the report shows that a School has been kept there for three months during that year, s 18.
 19. Nor unless all monies received from the Township, Town or City Superintendent during that year shall have been applied to the compensation of the Teacher, s 19.
 20. When alterations have been made in any District after the annual report has been rendered, and before the apportionment which was founded on such report has been made, an apportionment shall be made according to the number of children of such District, s 20, 21.
 21. When Trustees of a School District shall neglect or refuse, for the period of twelve months, to receive the School monies apportioned to them, such money shall be added to the monies next to be appropriated and apportioned in like manner, s 22.
 22. When a Superintendent of any Township, &c. cannot apportion the monies to any District for the term of two years, owing to the Trustees thereof not having complied with the provisions of this Act, such monies to be returned to the County Superintendent to be added to the moneys next to be apportioned, s 23.
 23. Districts formed out of two or more adjoining Townships, to be regulated by the Superintendent of the adjoining Townships jointly, s 24.
 24. When a School House stands on the boundary line, the Superintendent of either Township may examine the Teacher, and certify qualification, s 24.
 25. Mode of appropriating School monies withheld from any District through negligence of the Superintendent thereof to make his report; fine to such Superintendent, and proceedings for recovering the loss so sustained by the said District, s 25.
 26. Duties of Township Superintendents as to keeping and recording accounts, and paying over balances, and on quitting office—and penalty for neglect of the aforesaid duties, s 26.
 27. The Township, Town or City Clerk to be the Clerk of the Superintendent of Common Schools for such Township, &c.—his duties, s 27, 28.
 28. Court of Wardens to appoint a County Superintendent of Common Schools in each County, or in case of neglecting, the Governor to appoint a County Superintendent, s 29.
 29. Duties of the County Clerk with respect to the office of County Superintendent, s 30.
 30. County Superintendent to give security under bond to the Court of Wardens, s 31.
 31. County Superintendent to examine Teachers and give certificates; the nature of the certificates and conditions to which the holders are subject, s 32, 33, 34, 35.
 32. Teachers to be subject to re-examination as often as the Chief or County Superintendent shall think fit, s 36.
 33. Aliens not to be teachers after the first day of January, 1846, s 37.
 34. County Superintendent to visit all the Schools in his County once a year, and oftener if he shall think necessary, s 38.
 35. Duties of County Superintendents, penalties for refusal or neglect, and appropriation of penalties, s 39, 40, 41.
 36. Within twenty days after the formation of a School District, there shall be a School District meeting called pursuant to notice given, in the respective Township, &c. and a School District meeting shall be held annually thereafter on the second Tuesday of January in each year, s 42.
 37. Proceedings of School District meetings, Freeholders and Householdors resident shall elect three Trustees to serve for one year, s 43.
 38. For Trustees refusing to act, or vacancies occurring during the year—the Township Superintendent shall appoint Trustees, such District shall have no appropriation of School monies for the year such default is made, s 43.
 39. If the inhabitants of any School District refuse or neglect to meet and appoint Trustees, such District shall have no appropriation of School monies for the year such default is made, s 43.
 40. Duties of School Trustees, s 44.
 41. Any person may pay to the Teacher the amount charged to him in the Rate Bill; Teacher's receipt to be a discharge for such rate, s 45.
 42. Persons sending Children shall provide the portion of Fuel allowed by the Trustees, or the value of the same shall be added to the rate against such persons, s 46.
 43. Trustees may sue and recover for the amount of School Monies in certain cases, s 47.
 44. Trustees shall make annual reports to the Township, Town or City Superintendents as herein directed, s 48.
 45. Township, Town or City Council, by by-laws, shall make regulations for raising monies for building and repairs of School-houses; failing to do so, the Trustees shall attend to the same, s 49.
 46. Trustees to account to the Township, Town or

SCHOOLS.

- City Councils for Monies expended in buildings and repairs, s 49.
47. When School Districts are in two or more Townships the Trustees shall make reports to the Superintendents of each, as far as relates to the portions of the School District in each, s 50.
48. The By-Laws of the adjoining Townships, in the case as stated in section fifteen, shall settle the amount of money to be raised for erections or repairs, and in cases of dispute between such adjoining Townships the Court of Wardens shall pass a By-Law which shall be of the same effect, s 51.
49. The Council of any Town or City may, by by-laws, establish Free Schools for gratuitous instruction, or otherwise, s 52.
50. Such Free Schools shall be considered as Common Schools, on conditions herein stated, s 53.
51. In Common, or Town, or City Schools, no child shall be required to read any religious book, or join in any religious exercise to which the Parents or Guardians may object, s 54.
52. Separate Schools may be established in any locality for Protestants and Roman Catholics upon the application of ten or more resident Frecholders or Householdors; the mode of proceeding thereon, s 55 & 56.
53. For the establishment and support of Model Schools in each County the Court of Wardens may raise, by by-law, a rate for the sum of Two Hundred Pounds annually, s 57.
54. From the aforesaid County Rate there shall be appropriated not less than Forty Pounds annually for the payment of Teachers, books and apparatus, s 57.
55. A Court of Wardens having to the satisfaction of the Governor, made an appropriation of forty pounds in any year, the Governor shall order payment to the said County Superintendent of a further sum in aid of such School to the amount of one half so raised and expended, s 58.
56. Such further aid shall not exceed, in any one year in a County, fifty pounds, and in Upper Canada five hundred pounds, s 58.
57. The amount so advanced for the assistance of Model Schools shall be deducted from the aggregate of the amount at the disposal of the Chief Superintendent for the maintenance of Common Schools, s 59.
58. Duties of the Chief Superintendent and the County Superintendents, with regard to the disposal of the sums allowed for assistance to Model Schools, s 60.

SEMINARY.

59. All Model Schools, to be under the control of the County Superintendent, and the Trustees shall act subordinately, s 61.
60. When a Normal School shall be in operation, no Teacher of a Model School shall be appointed without a Certificate from a Professor of such Normal Schools, s 62, 65.
61. In all County, Township, Town or City Model Schools, the Teachers of Common Schools shall receive gratuitous instruction, under the direction of the County Superintendents, s 63, 66.
62. Township, Town or City Councils may establish a Model School within their respective localities, if there is no County Model School established, and may appropriate, for the support of the same, in addition to the amount raised by them for Common Schools, a sum not exceeding in each year twenty-five pounds, such sum to be expended in payment of a Teacher or Teachers, s 64.
63. The chief Superintendent shall report annually to the Governor the state of Normal, Model and Common Schools, throughout Upper Canada, as herein directed, s 67.
64. The provisions of this Act relating to the rendering a report a condition for the apportionment of School monies not to apply to the year 1844, s 68.
65. All the powers of the preceeding sections relating to Courts of Wardens, Counties, Township, Town or City Councils, to be vested in the District Councils in lieu of Courts of Wardens and Township Councils, if no Act should be passed in this Session constituting such Courts of Wardens, &c, and in the Common Councils or Board of Police in lieu of Town and City Councils, untill such an Act be passed, s 68.
66. Interpretation Clause, s 69.
67. Act to commence January 1st, 1844, s 70.
68. Act 4 & 5 V. c. 18, repealed so far as it relates to Upper Canada, with the exception of first, second and third sections, and that part of the twenty-first, which provides for the accounting for public moneys appropriated by the second and third Sections of the said Act, s 71.
- Seigniorial Rights, Sec Ordinance, 41.*
- Seminary of Quebec, &c.*
1. To authorize the Superior and Directors of the Seminary of Quebec, to acquire and hold an additional amount of property, 7 Vict. c. 55, November, 16, 1843.
2. Additional amount of property allowed and limited, s 1.

SERJEANTS.

Serjeants of Militia, See Judicature, 151, 192.

Sessions of the Peace.

1. To fix the period for holding the Courts of General Quarter Sessions of the Peace, and District Courts in Upper Canada, 7 Vict. c. 32, 9th December, 1843.
2. Days fixed for holding Courts of General Quarter Sessions, s 1.
3. Writs issued from District Courts, previously to 1st January, 1844, to be valid, and returnable the third day of the Term next thereafter, s 2.

Sherbrooke, See Fish, 2.

Sheriffs and Coroners.

1. To render more summary the means of enforcing the returns of process by Sheriffs and Coroners, in Upper Canada, 7 Vict. c. 33. 9th Dec. 1843.
2. Sheriff or Coroner neglecting to return process, to be required by summons to shew cause why writ of attachment should not be issued against him; proceedings on summons, s 1.
3. Writ of attachment to be issued on Sheriff or Coroner failing to shew cause, &c. as required, s 2.
4. Judge may issue writs of Habeas Corpus, and have the same powers with regard to such Sheriffs or Coroners as the Courts, s 3.
5. When, and before whom such writs may be made returnable, s 4.
6. Sheriff or Coroner failing to return writ after attachment for three months, to forfeit his office, and liable to a penalty of £100, for performing the duties thereof after such failure, s 5.
7. Costs, to be in the discretion of the Judge, s 6.
8. Act not to interfere with existing remedies, s 7.

Sheriff, See Claims Adverse, 7.

Spars, See Timber, &c. 1.

Stanstead, See Fish, 2.

Staves, See Timber, &c. 1.

St. Francis, River of, See Fish, 3.

Superintendents of Public Institutions, See Anatomy, 12.

TOLLS.

Superintendent of Schools, See Schools, (2) 2.

T.

Tavern-keepers, See Judicature, 151.

Tay Navigation Company.

1. To amend the Act incorporating the Tay Navigation Company, 7 Vict. c. 57. 9th Dec. 1843.
2. Part of Act U. C. W. 4. c. 10, repealed, assessment of Damages, and expenses thereof, s. 1.

Tenure of Lands, &c.

1. To empower the Seigniors of the *Fiefs* Nazareth, St. Augustin and St. Joseph in the City and County of Montreal, to commute the tenure of lands now held *en censive* in the said *Fiefs* respectively, 7 Vict. c. 27. 9th Dec. 1843.
2. The Seigniors of the aforesaid *Fiefs* allowed to commute with their *Censitaires* by mutual agreement, s. 1.
3. After such agreement all *droits de cens et rentes, lods et ventes, droit de retrait*, and other rights shall be extinguished, and such property held in future and for ever by the tenure of *Franc Aleu Roturier* according to the laws of Lower Canada, s. 1.
4. Nothing in this Act to exempt the Seigniors of the said *Fiefs* from the operation of any general law of commutation which may be hereafter passed, s. 1.

Titles, See Ottawa District, 2.

Tolls.

1. To exempt vehicles conveying Manure from the Cities and Towns of this Province, from the payment of Tolls on Turnpike Roads, and for the purposes therein mentioned, 7 Vic. c. 14.
2. Vehicles laden solely with Manure for the purposes of Agriculture, and the animals drawing them, may pass Toll free, through any Toll Gate going to and returning from any City in Lower Canada, and any City or Incorporated Town in Upper Canada, within twenty miles of such City or Town, s 1.
3. Persons going to or returning from Divine Service on Sundays or obligatory holidays with their own carriages and beasts of draught to pass

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- Toll free through any Toll Gate in this Province, s 2.
- 4. No Toll chargeable for any vehicle, horses or cattle belonging to the occupier of lands divided by a Turnpike, for passing through it, from one part of his land to another, for farming and domestic purposes only, s 3.
- 5. Act not to extend to any private Toll Bridge, s 4.

Tolls, See Gosselin, Alexis, 4.

Treasurer District, See Deer, &c., 12.

Trustees, See Schools, (2) 37, and Seq.

Trust and Loan Company.

1. For incorporating and granting certain powers to the Upper Canada Trust and Loan Company, 7 Vict. c. 63. 9th December, 1843.
2. Certain persons incorporated, their powers s 1, 2, 3, 4, 5, 6.
3. Form of Conveyance, s 7.
4. Effect of the word "Grant" s 8.
5. Form of Mortgage Bond, s 9.
6. To demand and receive Interest half yearly, s 10.
7. Capital, number of shares, personal Estate and registry of Shareholders, s 11, 12, 13.
8. Address of Shareholders, s 14.
9. Certificates of shares to be given, and to be evidence, and renewed when destroyed, s 15, 16, 17.
10. Transfer of Shares to be registered, and obstruction to Transfers, s 18, 19.
11. Transmission of shares to be authenticated, s 20, 21.
12. Notices to joint proprietors, s 22.
13. Receipts for money payable to Minors, &c. s 23.
14. Company not bound to regard trusts, s 24.
15. Power of Company to make calls, s 25.
16. Interest on calls unpaid, s 26.
17. Payment of Subscription before call, s 27.
18. Enforcement of calls, s 28, 29, 30.
19. Proof of Proprietorship, s 31.
20. Forfeiture of shares and notice thereof, s 32, 33, 34, 35, 36, 37.
21. Liability of Shareholders, s 38.
22. Executions against Shareholders, s 39.
23. Reimbursement to Shareholders in such cases, s 40.
24. Power of Company to borrow and re-borrow money, s 41, 42.
25. Form of Mortgages and right of Mortgagees and obligees, s 43, 44, 45.

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26. Register, transfer and entry of Mortgages and Bonds, s 46, 47, 48.
27. Payment of Interest on Loans, s 49.
28. Re-payment of Money borrowed, s 50, 51.
29. Enforcing payments of principal and interest, s 52, 53.
30. Receiver, s 54.
31. Mortgagees not to vote, s 55.
32. Mortgagees may examine Company's Books free of charge, s 56.
33. Company may extend their Capital by issue of new Shares, to One Million Pounds, s 57.
34. Owners of new shares entitled to a dividend only in proportion to the amount they have paid on them, s 58.
35. New Capital considered part of the old, and subject in every way with it to provisions of this Act, s 59.
36. If the old are at a premium, the new shares to be offered to Shareholders, s 60.
37. If not at a premium, to be issued as the Company think fit, s 61.
38. Shareholders to have votes in proportion to their number of shares; scale for and manner of voting, s 62 to 66.
39. Who shall be the first, and who the future Directors and Officers; an Imperial Act or Charter to regulate as to Meetings and Powers of the Company and Directors, s 67.
40. Powers to be exercised by Directors, s 68.
41. Powers not to be exercised by Directors, s 69.
42. Proceedings to be entered in a book to be signed by Directors, and the book open to the inspection of Shareholders, such book to be evidence, s 70.
- 43.—Informality in appointment of Directors not to invalidate all proceedings, s 71.
44. Directors not personally liable: to be indemnified for all loss incurred in the exercise of their office, s 72.
45. Officers of the Company to account for all moneys to the Directors on demand, and liable to summary proceedings in failing so to do, as herein stated, s 73 to 75.
46. Directors to keep full and true accounts, s 76.
47. Dividend not to be made out of the capital s 77.
48. Directors may reserve funds for contingencies and improvements before paying dividends, s 78.
49. Dividend not to be paid on a share on which calls are not paid, s 79.
50. Company to have power to make by-laws, not repugnant to laws in force where the by-laws are to have effect, s 80.

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51. Relative to breach of by-laws, fines, penalties, evidence, suits for recovery of fines, &c. distress, and application of penalties, s 81 to 91.
52. Parties convicted may appeal to Quarter Sessions on conditions herein stated. Proceedings on such appeal and costs, s 92, 93.
53. How service of notices, &c. are to be made on the Company, s 94.
54. Service on Shareholders by the Company through Post Office, s 95.
55. Notices in Newspapers how published, s 96.
56. Notices, &c., how authenticated, s 97.
57. Servants of Company how qualified as witnesses, s 98.
58. How the Company may prove debts as Creditors in cases of Bankruptcy, s 99.
59. Tender of amends in actions brought under this Act to prevent Plaintiff recovering in such action, s 100.
60. Interpretations, s 101.
61. Public Act, s 102.
62. Act not to extend to Lower Canada, s 103. Schedules referred to in Act.

Timber,

1. To regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, 7 Vict. c. 25, 9th Dec. 1843.
2. Act 6 Vict. repealed, s 1.
3. Governor to appoint a competent person to be Supervisor of Cullers, who is to give security in the amount of two thousand pounds currency under bond, and take an oath in form as herein given, s 2.
4. The oath to be filed of Record, s 2.
5. The Board of Trade of Quebec to appoint a Board of Examiners of from seven to eleven persons, competent to examine applicants for license as Cullers, s 3.
6. Duties and Oath of Examiners, s 3.
7. Board of Examiners shall recommend no person to be licenced as a Culler, but who is fully qualified as herein stated, s 4.
8. The duties of a Culler to be divided into the four departments of Square Timber, Round Timber, Staves, Deals, &c., and Lathwood, s 5.
9. Governor to grant Licences to Cullers; their qualification, duties, oath and security under bond of Two hundred pounds currency each, s 6.
10. Culler's oath to be filed in the Office of the Supervisor, who is to report compliance with the

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- provisions of this Act, and procure the License for each person so sworn, s 6.
11. Supervisor shall open an Office in Quebec, his duties, authority, days and hours of attendance, s. 7.
12. Persons acting in a subordinate capacity assisting Cullers, to be candidates for becoming Cullers, when practicable, s 8.
13. How Cullers shall make out specifications of measurement—their hours of attendance, subjection to the Supervisor, penalty for violation of duties and liability to suspension from office, subject to appeal to Board of Examiners, s 9.
14. Supervisor shall record the applications for measurement and culling, and cause the work to be performed in the order of such application, within twelve hours of such application, if Cullers are obtainable, s 10.
15. Culler shall provide the implements of his business, instructions for his proceedings and the distinguishing marks to be used, s 11.
16. Classification of Lumber in the four departments thereof hereinbefore mentioned, s 12.
17. Preparation, and mode of measuring Lumber, s 13 & 14.
18. Table of Rules, of Fees for measuring and culling, s 15.
19. One half of the aforesaid fees to be paid by the buyer and one half by the seller, s 15.
20. Expenses of Supervisor's Office to be paid out of fees received by him, s 16.
21. Supervisor's accounts to be attested and transmitted to the Governor on or before the 1st January in each year, with an Inventory of all Furniture, Books and Property in his possession attached to his Office, which Property and Books shall be the property of Her Majesty, s 16.
22. All the Books and Public Documents of the Supervisor's Office shall be open to the inspection of all parties interested therein, s 17.
23. Supervisor to take out of the Fees collected by him, three hundred pounds for his annual salary exclusive of all expenses of his office, s 18.
24. Supervisor to report to the Chairman of the Board of Trade on or before 1st January, any deficiency or surplus of fees, after having received the amount of his salary and expenses, and to account for the disposal of surplus fund, s 18.
25. Appropriation of Fees among the Supervisor and Cullers, s 19.
26. Governor may increase or diminish the fees, in his discretion, to accomplish the purposes for which they are applied under this Act, s 20.

27. Licensed Cullers may be hired by merchants, but not employed without some other licensed Culler by direction of the Supervisor, s 21.
28. Various modes of contravening this Act stated, and the penalty for so doing, s 21.
29. Disputes between Cullers and parties interested to be arranged by a survey under order of the Supervisor, and the party whose ground of dissatisfaction has not been made out by such survey, to pay the expenses thereof, s 22.
30. When lumber is required to be culled, measured or counted to determine the rights of parties interested, and for which it is not compulsory in the parties to have it culled, measured or counted; it shall notwithstanding be done under the regulations of this Act, s 23.
31. Conditions under which it is compulsory for the parties interested, to have lumber culled, measured or counted, s 23.
32. Cullers not to deal in lumber, under penalty of from fifty to one hundred pounds currency, and loss of office, s 24.
33. Supervisor, Culler or assistant, for misconduct in their duties of office liable to penalty of not exceeding one hundred pounds with loss of office, and disqualification for office for the future, s 25.
34. On the death or removal or insufficiency of sureties, of Supervisor or Cullers, each shall respectively renew their sureties or their appointment ceases, or license is rendered void, as the case may be, s 26.
35. Any person removing or counterfeiting the distinguishing marks on lumber liable to penalty of not exceeding thirty pounds currency, or imprisonment of not exceeding three calendar months, in the discretion of the Court, excepting in cases where it is required to be re-dressed, s 27.
36. Proceedings and penalties with regard to setting adrift, unmooring any Craft, Lumber, Masts, &c. or defacing marks on any description of lumber, and the disposal of the fines so levied, s 28.
37. Conductors of Rafts to have bright fires thereon, under penalty of not exceeding ten pounds currency, s 29.
38. Proceedings for recovering and disposal of all penalties, fines and forfeitures under this Act, s 30.
39. Persons convicted of assaulting any Culler, threatening, or otherwise obstructing in the performance of his duty, liable to fine not exceeding five pounds, currency, or commitment to Gaol for fifteen days till the fine be paid, s 31.
40. Actions arising out of the operation of this Act to be brought within twelve months of the date of the offence, or to be unsustainable in Court, s 32.
41. This Act to be evidence in such actions, s 32.
42. Directions as to Costs, s 32.
43. If the Board of Examiners or the Board of Trade refuse or neglect to perform the duties assigned to them in this Act, the Governor shall supply the deficiency in his discretion, s 33.
44. Act to commence January the first, 1844, s 34.

W.

Wagering, See Bankrupt, 64.

Wardens, Court of, See Schools, (2) 65.

Warehousing Ports, See Agricultural Duties, 6.

Welland Canal.

1. To repeal a certain Act therein mentioned, and to make further provision for enabling the Provincial Government to purchase the Stock held by private parties, 7 Vict. c. 34, 9th Dec. 1843.
2. Act 4 and 5 V. c. 48, and part of Act U. C. 7 W. 4. c. 92. repealed, s 1.
3. £117,800, charged on Revenue Fund for private Stockholders with interest from 1st January, 1843, s 2.
4. Governor in Council may direct the Receiver General to issue debentures, and to whom, s 3 & 4.
5. Governor in Council may direct the issue of other Debentures in lieu of the aforesaid Debentures, s 5.
6. When the Tolls amount to £45,000 annually, there shall be an annual charge on the Revenue Fund as prescribed in Act, s 6.
7. Governor in Council may then issue new Debentures, s 7.
8. Effect of Certificates under former Acts as to interest, s 8.

